

**MINUTES**  
**REGULAR MEETING**  
**MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY**  
**APRIL 9, 2012**  
**7 P.M.**

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

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

**ABSENT:** Councilmembers Cox, Saliga, Steinman

City Clerk Jean D. Kuc 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 April 9, 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 Mione offered an invocation.

**3. APPROVAL OF MINUTES**

March 6, 2012	7 p.m.	Pre-Meeting Conference
March 12, 2012	7 p.m.	Regular Meeting

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

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

**ABSENT:** Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**4. PRESENTATIONS**

2011 Rahway Senior of the Year Bob Gering

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

**6. REPORTS OF COUNCIL COMMITTEES**

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

Vanessa Rozelle	250 Stanton St.	AR-78-12
Eric Miles	364 E. Milton Ave.	AR-78-12
Sandy Carson	834 Central Ave.	AR-78-12

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

**8. CONSENT AGENDA**

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

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturo, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

Council Vice President Brown excused himself from the meeting and named Councilmember Wenson Maier Council President Pro Tempore.

**9. ORDINANCES - First Reading**

**O-9-12** City Clerk Kuc read AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) – PERMIT PARKING.

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

YES: Councilmembers Baker, Mione, Rachlin, Scaturo, Wenson Maier

ABSENT: Councilmembers Brown, Cox, Saliga, Steinman

Council President Pro Tempore Wenson Maier: 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 Regular Meeting on Monday, May 14, 2012 at 7 p.m.

**O-10-12** City Clerk Kuc read ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - PARKING METERS.

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

YES: Councilmembers Baker, Mione, Rachlin, Scaturo, Wenson Maier

ABSENT: Councilmembers Brown, Cox, Saliga, Steinman

Council President Pro Tempore Wenson Maier: 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 Regular Meeting on Monday, May 14, 2012 at 7 p.m.

**O-11-12** City Clerk Kuc read AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - PARKING BY PERMIT ONLY IN DESIGNATED RESIDENTIAL AREAS 401-50.

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

YES: Councilmembers Baker, Mione, Rachlin, Scaturo, Wenson Maier

ABSENT: Councilmembers Brown, Cox, Saliga, Steinman

Council President Pro Tempore Wenson Maier: 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 Regular Meeting on Monday, May 14, 2012 at 7 p.m.

**O-12-12** City Clerk Kuc read AN ORDINANCE OF THE CITY OF RAHWAY ESTABLISHING REGULATIONS, LICENSING REQUIREMENTS AND FEES FOR BODY ART PROCEDURES.

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

YES: Councilmembers Baker, Mione, Rachlin, Scaturro, Wenson Maier

ABSENT: Councilmembers Brown, Cox, Saliga, Steinman

Council President Pro Tempore Wenson Maier: 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 Regular Meeting on Monday, May 14, 2012 at 7 p.m.

**O-13-12** City Clerk Kuc read AN ORDINANCE AMENDING CHAPTER 217, "FOOD ESTABLISHMENTS AND VENDORS, RETAIL" AND CHAPTER 221, "FOOD SERVICE PERSONNEL" OF THE REVISED GENERAL ORDINANCES OF THE CITY OF RAHWAY TO PROVIDE FOR THE LICENSING AND FEES OF TEMPORARY RETAIL FOOD ESTABLISHMENTS.

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

YES: Councilmembers Baker, Mione, Rachlin, Scaturro, Wenson Maier

ABSENT: Councilmembers Brown, Cox, Saliga, Steinman

Council President Pro Tempore Wenson Maier: 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 Regular Meeting on Monday, May 14, 2012 at 7 p.m.

Council President Brown returned to the meeting at 7:44 p.m.

**O-14-12** City Clerk Kuc read A BOND ORDINANCE PROVIDING FOR VARIOUS 2012 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$666,665 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 Scaturo, seconded by Councilmember Mione and adopted by the following vote:

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturo, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice 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 Regular Meeting on Monday, May 14, 2012 at 7 p.m.

**O-15-12** City Clerk Kuc read A BOND ORDINANCE PROVIDING FOR VARIOUS 2012 CAPITAL IMPROVEMENTS TO THE WATER SYSTEM, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$850,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$809,520 IN BONDS OR NOTES TO FINANCE THE COST THEREOF.

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

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturo, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice 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 Regular Meeting on Monday, May 14, 2012 at 7 p.m.

**O-16-12** City Clerk Kuc read A BOND ORDINANCE PROVIDING FOR THE 2012 ROAD RECONSTRUCTION AND RESURFACING PROGRAM, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$1,125,000 THEREFOR (INCLUDING GRANTS FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM) AND AUTHORIZING THE ISSUANCE OF \$741,000 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 Scaturo, seconded by Councilmember Mione and adopted by the following vote:

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturo, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice 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 Regular Meeting on Monday, May 14, 2012 at 7 p.m.

## **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.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturo, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-103-12** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF WATER BILLS.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson  
Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-104-12** Councilmember Mione presented and moved A RESOLUTION COMMENDING JEAN D. KUC.

The motion was seconded by the Entire Council.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson  
Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-105-12** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF WATER BILLS.

The motion was seconded by Councilmember Wenson Maier.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson  
Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-106-12** Councilmember Wenson Maier presented and moved A RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF 365-1 THROUGH 365-3 (SIDEWALK ENCUMBRANCES) AND 365-50 THROUGH 365-51 (CLOSING OF STREETS) OF THE CODE OF THE CITY OF RAHWAY.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-107-12** Councilmember Baker presented and moved A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE 2011 FISCAL YEAR.

The motion was seconded by Councilmember Saliga.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-108-12** Councilmember Saliga 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, Brown, Mione, Rachlin, Scaturro, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.



**\*AR-109-12** 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 Rachlin.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson  
Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-110-12** Councilmember Scaturro 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, Brown, Mione, Rachlin, Scaturro, Wenson  
Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-111-12** Councilmember Scaturro 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, Brown, Mione, Rachlin, Scaturro, Wenson  
Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-112-12** Councilmember Scaturo 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, Brown, Mione, Rachlin, Scaturo, Wenson  
Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-113-12** Councilmember Cox presented and A RESOLUTION AUTHORIZING REFUND OF PARKS & RECREATION FEES.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturo, Wenson  
Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-114-12** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING REFUND OF SENIOR SERVICES FEES.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturo, Wenson  
Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-115-12** Councilmember Wenson Maier presented and moved A RESOLUTION AUTHORIZING THE LEASE/PURCHASE THREE CHEVROLET POLICE CARS UNDER STATE CONTRACT FOR THE RAHWAY POLICE DEPARTMENT.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturo, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-116-12** Councilmember Baker presented and moved A RESOLUTION AUTHORIZING THE REFUND OF RIGHT-OF-WAY CONSTRUCTION BOND TO TYREE ENVIRONMENTAL CORP. FOR PERMIT #05-10-277 DATED 5/28/10 AT EAST MILTON AVENUE FOR MONITORING WELLS.

The motion was seconded by Councilmember Saliga.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturo, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-117-12** Councilmember Saliga presented and moved A RESOLUTION AUTHORIZING THE REFUND OF AN ENGINEERING REVIEW APPLICATION FEE TO NANCY ROMERO.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturo, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

- \*AR-118-12** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING THE REDUCTION OF PERFORMANCE BOND FOR OFF-SITE IMPROVEMENTS TO SISTO REALTY COMPANY/UNITED EXCAVATING FOR 1319 ST.GEORGES AVENUE, (BROOKSIDE AT RAHWAY) BLOCK 168, LOTS 23, 24 & 35.

The motion was seconded by Councilmember Rachlin.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson  
Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

- \*AR-119-12** Councilmember Rachlin presented and moved A RESOLUTION AWARDDING 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 Scaturro.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson  
Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

- \*AR-120-12** Councilmember Brown presented and moved A RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF RAHWAY AUTHORIZING AN EXTENSION OF AN ACCESS AGREEMENT WITH MARTIN-ELSTON ASSOCIATES, OWNER OF PROPERTY KNOWN 519 CAPOBIANCO PLAZA, ALSO KNOWN AS BLOCK 300 LOT 9, TO REMOVE GROUNDWATER MONITORING WELLS ON CITY PROPERTY.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson  
Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

- \*AR-121-12** Councilmember Wenson Maier presented and moved A RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO BOHLER ENGINEERING FOR ENGINEERING CONSULTING SERVICES RELATIVE TO UPDATING THE TAX MAPS.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

- \*AR-122-12** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLES UNDER THE MORRIS COUNTY CO-OP CONTRACT FOR THE HEALTH & TAX DEPARTMENTS.

The motion was seconded by Councilmember Wenson Maier.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

- \*AR-123-12** Councilmember Mione presented and moved A RESOLUTION OPPOSING SENATE BILLS 1451 AND 1452.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-124-12** Councilmember Mione presented and moved A RESOLUTION AMENDING THE CY 2012 MUNICIPAL BUDGET.

The motion was seconded by Councilmember Wenson Maier.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

**\*AR-125-12** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING A TEMPORARY CAPITAL BUDGET.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturro, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.

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

## **12. MISCELLANEOUS**

## **13. COMMUNICATIONS - Hearing of Citizens**

Scott Caffee 756 W. Scott Ave.

Congratulated Bob Gering on being chosen Senior Citizen of the year. Commented on the Library.

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

## **14. COUNCIL COMMENT**

*Councilmember Mione:* Said he will comment on Memorial Day activities at the next meeting.

*Councilmember Baker:* Complimented Councilmember Wenson Maier for her statement regarding the Library. Said that Rahway has a first class library and the timeframe inferred by Mr. Caffee was covered by interlocal agreements with surrounding towns for library services. Said that it took time for bidding, design and finding and that the late Donald Payne was very

instrumental in obtaining FEMA funds for the library.

*Councilmember Wenson Maier:* Requested to the Administration that at the next Council Meeting, Athletic Director Tom Lewis come to the meeting concerning a home on New Church Street that has a problem with baseballs going into their yard and hitting their house. She requested that netting be installed.

*Councilmember Rachlin:* Commented on remarks made by the gentleman from the 2<sup>nd</sup> Ward and who is running for Council.

*Councilmember Scaturo:* Thanked the City Clerk for all of the years she has put into the City of Rahway and for helping him for the past 16 years.

*Councilmember Brown:* Said that everyone needs to respect each other at these meetings.

### **ADJOURNMENT**

Motion to adjourn the meeting at 7:59 p.m. was made by Councilmember Scaturo and seconded by Councilmember Mione.

YES: Councilmembers Baker, Brown, Mione, Rachlin, Scaturo, Wenson Maier

ABSENT: Councilmembers Cox, Saliga, Steinman

Council Vice President Brown declared the motion carried.