

MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
MAY 13, 2013
7 P.M.

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

PRESENT: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Steinman

ABSENT: Councilmembers 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 May 13, 2013 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, 2013 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.

Councilmember Wenson Maier arrived at 7:01 p.m.

3. APPROVAL OF MINUTES

April, 2, 2013	7 p.m.	Pre-Meeting Conference
April 8, 2013	7 p.m.	Regular Meeting

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

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

4. PRESENTATIONS

Commend Billy Bonner
Commend Kyle Dziedzic

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

6. REPORTS OF COUNCIL COMMITTEES

Board of Education, Councilmember Baker: Discussed many events happening at the Rahway Public Schools and many of the honors/accomplishments achieved by students, faculty and schools.

Council President Steinman moved to place AR-117-13, AR-118-13 and June 8, 2013 Grove St. Block Party on the Agenda and the Consent Agenda.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

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

8. CONSENT AGENDA

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

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

9. ORDINANCES - First Reading

O-21-13 City Clerk Jotz read AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING.

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

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman: 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 Council Meeting at Wednesday, June 12, 2013 at 7 p.m.

O-22-13

City Clerk Jotz read A BOND ORDINANCE PROVIDING FOR INVESTIGATION OF GROUNDWATER CONTAMINATION AND REMEDIATION AT CITY HALL AND TRAIN STATION PLAZA, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,400 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 Mione, seconded by Councilmember Baker and adopted by the following vote:

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman: 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 Council Meeting at Wednesday, June 12, 2013 at 7 p.m.

O-23-13

City Clerk Jotz read A BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-30-12 FINALLY ADOPTED BY THE CITY COUNCIL ON NOVEMBER 7, 2012, TO INCREASE THE APPROPRIATION THEREIN BY \$750,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$714,000 TO FINANCE PART OF THE ADDITIONAL COSTS THEREOF.

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

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman: 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 Council Meeting at Regular Council Meeting at Wednesday, June 12, 2013 at 7 p.m.

O-24-13

City Clerk Jotz read A BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-35-12 FINALLY ADOPTED BY THE CITY COUNCIL ON DECEMBER 10, 2012, AS PREVIOUSLY AMENDED, TO INCREASE THE APPROPRIATION THEREIN BY \$220,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES THEREIN BY \$209,520 TO FINANCE PART OF THE ADDITIONAL COSTS THEREOF AND TO AMEND THE DESCRIPTION THEREOF.

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

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman: 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 Council Meeting at Wednesday, June 12, 2013 at 7 p.m.

O-25-13

City Clerk Jotz read AN ORDINANCE AMENDING SECTION 5-74, "SPECIAL POLICE," OF THE CODE OF THE CITY OF RAHWAY.

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

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman: 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 Council Meeting at Wednesday, June 12, 2013 at 7 p.m.

10. RESOLUTIONS

AR-89-13 Councilmember Cox presented and moved A RESOLUTION ADOPTING THE CY 2013 MUNICIPAL BUDGET AS AMENDED.

The motion was seconded by Councilmember Farrar.

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.

Scott Cafee 756 W. Scott Ave.

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

Roll Call to adopt the amended CY 2013 Municipal Budget:

YES: Councilmembers Baker, Bresenhan, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSTAIN: Councilmember Brown

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-90-13** Councilmember Farrar presented and moved A RESOLUTION ENTERING INTO AN INTERLOCAL SERVICES AGREEMENT WITH THE CITY OF

ELIZABETH, DEPARTMENT OF HEALTH AND HUMAN SERVICES,
DIVISION OF HEALTH FOR TUBERCULOSIS DISEASE SERVICES.

The motion was seconded by Councilmember Cox.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-91-13** Councilmember Bresenhan presented and moved A RESOLUTION ENTERING INTO AN INTERLOCAL SERVICES AGREEMENT WITH THE CITY OF ELIZABETH, DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH FOR SEXUALLY TRANSMITTED DISEASE SERVICES.

The motion was seconded by Councilmember Cox.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-92-13** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH UNION COUNTY LINC'S AGENCY FOR PUBLIC HEALTH PREPAREDNESS TO BIOTERRORISM, OUTBREAKS OF INFECTIONS DISEASE AND OTHER PUBLIC HEALTH THREATS AND EMERGENCIES.

The motion was seconded by Councilmember Steinman.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- *AR-93-13** Councilmember Steinman presented and moved A RESOLUTION AWAR­DING THE ACCEPTANCE OF BID FOR UPGRADE OF FUEL SOFTWARE AND EQUIPMENT FOR CITY HALL AND DPW FUEL FACILITIES.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- *AR-94-13** Councilmember Baker 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 Mione.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- *AR-95-13** Councilmember Mione presented and moved A RESOLUTION OF THE CITY OF RAHWAY AUTHORIZING THE AWARD OF A CONTRACT TO USGOVBID/AUCTION LIQUIDATION SERVICES AND THE SALE ON AN ONLINE AUCTION WEBSITE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- *AR-96-13** Councilmember Steinman presented and moved A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RAHWAY FOR THE PURPOSE OF

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY FUNDS.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-97-13** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INDEMNIFICATION AND HOLD HARMLESS AGREEMENT FOR THE USE OF 1414 CAMPBELL STREET FOR FIRE DEPARTMENT TRAINING AND RELATED ACTIVITIES.

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-98-13** Councilmember Cox presented and moved A RESOLUTION TO COMMIT TO A GOAL OF TEN (10%) PERCENT REDUCTION IN IMPERVIOUS SURFACES.

The motion was seconded by Councilmember Farrar.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-99-13** Councilmember Steinman presented and moved A RESOLUTION SUPPORTING PSE&G'S ENERGY STRONG PROGRAM.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-100-13** Councilmember Bresenhan presented and moved A RESOLUTION AUTHORIZING THE RELEASE OF RIGHT OF WAY CONSTRUCTION BOND FEE TO DAVID H. RATCLIFF FOR PERMIT# 04-12-598 DATED 04/20/12 FOR SIDEWALK, APRON AND CURB AT 616 CORA PLACE.

The motion was seconded by Councilmember Cox.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-101-13** Councilmember Cox presented and moved A RESOLUTION AUTHORIZING THE RELEASE OF RIGHT OF WAY CONSTRUCTION BOND FEE TO MERCK SHARP & DOHME CORP. PERMIT# 12-10-422 DATED 12/7/10 FOR ROADWAY OPENING FOR SANITARY SEWER DISCONNECT AND WATER SERVICE AT 317 UNDERHILL PLACE.

The motion was seconded by Councilmember Farrar.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-102-13** 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 Cox.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-103-13** Councilmember Cox presented and moved A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR 2011 & 2012.

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-104-13** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO REFUND OVERPAYMENT OF TAXES DUE TO A JUDGMENT OF THE TAX COURT OF NEW JERSEY.

The motion was seconded by Councilmember Steinman.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-105-13** Councilmember Steinman presented and moved A RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF WATER BILLS.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- *AR-106-13** Councilmember Baker presented and moved A RESOLUTION AUTHORIZING THE REFUND OF A BUILDING PERMIT FEE TO DEEGAN ROOFING COMPANY.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- *AR-107-13** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING REFUND OF HART STREET PARK FEES.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- *AR-108-13** Councilmember Baker presented and moved A RESOLUTION AUTHORIZING REFUND OF PARKS & RECREATION FEES.

The motion was seconded by Councilmember Steinman.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- *AR-109-13** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING REFUND OF POLICE ESCROW FEES.

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-110-13** Councilmember Baker presented and moved A RESOLUTION COMMENDING THE RAHWAY HIGH SCHOOL ROBOTICS TEAM.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-111-13** Councilmember Brown presented and moved A RESOLUTION COMMENDING THE RAHWAY HIGH SCHOOL DEBATE TEAM'S RECENT ACHIEVEMENTS.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-112-13** Councilmember Brown presented and moved A RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF A MEMBER TO THE REDEVELOPMENT AGENCY (ANTHONY DEIGE).

The motion was seconded by Councilmember Steinman.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

***AR-113-13** Councilmember Mione presented and moved A RESOLUTION AMENDING THE 2013 CAPITAL BUDGET.

The motion was seconded by Councilmember Farrar.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- *AR-114-13** Councilmember Bresenhan presented and moved A RESOLUTION GRANTING GOVERNING AUTHORITIES' RIGHT OF ENTRY ONTO PRIVATE PROPERTY WITHOUT OBTAINING PERMISSION OF OWNER AND CONCERNING OTHER MATTERS TO FACILITATE RECOVERY FROM HURRICANE SANDY FOR THE PURPOSES OF PREPARING A FEMA APPLICATION FOR PRIVATE PROPERTY DEBRIS REMOVAL AND PRIVATE PROPERTY DEMOLITION.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- AR-115-13** Councilmember Mione presented and moved A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY FOR THE PURPOSE OF APPLYING TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR A GRANT TO PAY FOR EXPENSES INCURRED FOR THE PREPARATION OF A MUNICIPAL PUBLIC ACCESS PLAN TO ACCESS THE CITY'S TIDAL WATERS AND PUBLIC ACCESS FACILITIES.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- *AR-116-13** Councilmember Steinman presented and moved RESOLUTION OF THE CITY OF RAHWAY IN SUPPORT OF AN APPLICATION TO THE LOCAL DEMONSTRATION PROJECT PROGRAM.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- *AR-117-13** Councilmember Steinman 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 Brown.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

- *AR-118-13** Councilmember Steinman presented and moved A RESOLUTION AUTHORIZING CITY ATTORNEY, DECOTIIS, FITZPATRICK & COLE, LLC, TO EXECUTE A SPECIAL MASTER AND MEDIATION RETAINER AGREEMENT ON BEHALF OF THE CITY OF RAHWAY IN CONNECTION WITH A CASE ENTITLED NJDEP V. LWS SPECTOR WOODBRIDGE COMPANT ET AL., DOCKET NO. C-107-11.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

11. ORDINANCES – SECOND READING

O-17-13 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) – LOADING ZONES

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

401-26 LOADING ZONES

AMEND:

From:

No person shall park, stop or stand a vehicle, unless actively engaged in the loading or unloading of goods or merchandise, in any of the locations described in Schedule XVIII (§ 401-76), attached to and made a part of this chapter, which are hereby designated as loading zones.

To:

No person shall park, stop or stand a vehicle BETWEEN THE HOURS OF 7 a.m.– 5 p.m., unless actively engaged in the loading or unloading of goods or merchandise, in any of the locations described in Schedule XVIII (§ 401-76), attached to and made a part of this chapter, which are hereby designated as loading zones.

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-17-13:

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

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-18-13 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) - PARKING
PROHIBITED AT ALL TIMES**

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

401-70. Schedule XII: Parking Prohibited at All Times.

Delete:

Elm Avenue	Both	From West Main Street to Irving Street
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**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-18-13:

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

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-19-13 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) - PARKING PROHIBITED CERTAIN HOURS

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

§ 401-72. Schedule XIV: Parking Prohibited Certain Hours.

Amend:

From:

Central Avenue [Added 4-14-1997 by Ord. No. O-22-97]	North	4:00 a.m. to 7:00 a.m./Mon., Wed. and Fri.	From Irving Street to Campbell Street
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To:

Central Avenue	North	5:30 a.m. to 7:30 a.m./Mon., Wed. and Fri.	From Irving Street to Campbell Street
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Central Avenue	South	5:30 a.m. to 7:30 a.m./Tues and Thurs	From Hamilton Street to Campbell Street
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From:

Central Avenue	South	4:00 a.m. to 7:00 a.m./Mon., Wed. and Fri.	From West Main Street to Irving Street
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To:

Central Avenue	South	5:30 a.m. to 7:30 a.m./Mon., Wed.	From West Main Street to Irving
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		and Fri.	Street
<u>From:</u>			
Coach Street	South	4:00 a.m. to 7:00 a.m.	Entire length
<u>To:</u>			
Coach Street	South	5:30 a.m. to 7:30 a.m.	Entire length
<u>From:</u>			
Elizabeth Avenue	Both	4:00 a.m. to 7:00 a.m.	From West Main Street to Irving Street
<u>To:</u>			
Elizabeth Avenue	North Side	5:30 a.m. to 7:30 a.m. Mon, Wed, Fri	From West Main Street to Irving Street
Elizabeth Avenue	South Side	5:30 a.m. to 7:30 a.m. Tues, Thurs	From West Main Street to Irving Street
<u>Add:</u>			
Elm Ave	North Side	5:30 a.m. to 7:30 a.m. Mon, Wed, Fri	From West Main Street to Irving Street
Elm Ave	South Side	5:30 a.m. to 7:30 a.m. Tues, Thurs	From West Main Street to Irving Street
<u>From:</u>			
Irving Street [Amended 9-10-2001 by Ord. No. O-45-01]	East	4:00 a.m. to 7:00 a.m./Mon., Wed. and Fri.	From Seminary Avenue to Lewis Street
Irving Street [Amended 9-10-2001 by Ord. No. O-45-01]	West	4:00 a.m. to 7:00 a.m./Tues., Thurs. and Sat.	From Seminary Avenue to a point 228 feet south of the inter- section of East Cherry Street

To:

Irving Street [Amended 9-10-2001 by Ord. No. O-45-01]	East	5:30 a.m. to 7:30 a.m./Mon., Wed. and Fri.	From Seminary Avenue to Lewis Street
Irving Street [Amended 9-10-2001 by Ord. No. O-45-01]	West	5:30 a.m. to 7:30 a.m./Tues., Thurs.	From Seminary Avenue to a point 228 feet south of the inter- section of East Cherry Street

From:

Lewis Street [Amended 4-10-2000 by Ord. No. O-20-00]	Both	4:00 a.m. to 6:00 a.m./daily	Entire length
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To:

Lewis Street	North Side	5:30 a.m. to 7:30 a.m. Mon, Wed, Fri	Irving St to Main St
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FROM:

Main Street	East	4:00a.m. to 7:00 am./Tues., Thurs. and Sat.	From East Milton Avenue to Bridge Street
Main Street	West	4:00a.m. to 7:00 a.m./Mon., Wed. and Fri.	From East Milton Avenue to Bridge Street
West Main Street	East	4:00 a.m. to 7:00 a.m./Tues., Thurs. and Sat.	From Bridge Street to Irving Street
West Main Street	West	4:00 a.m. to 7:00 a.m./Mon., Wed. and Fri.	From Bridge Street to Irving Street

TO:

Main Street	East	5:30a.m. to 7:30 am./Tues., Thurs.	From East Milton Avenue to Bridge Street
Main Street	West	5:30 a.m. to 7:30 a.m./Mon., Wed. and Fri.	From East Milton Avenue to Bridge Street
West Main Street	East	5:30 a.m. to 7:30 a.m./Tues., Thurs.	From Bridge Street to Irving Street

West Main Street	West	5:30 a.m. to 7:30 a.m./Mon., Wed. and Fri.	From Bridge Street to Irving Street
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FROM:

East Milton Avenue Co. 605	South	4:00 a.m. to 7:00 a.m.	From Pierce Street to Broad Street
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TO:

East Milton Avenue Co. 605	South	5:30 a.m. to 7:30 a.m.	From Fulton Street to Broad Street
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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-19-13:

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

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-20-13 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 BY THE MUNICIPAL COUNCIL OF THE CITY OF RAHWAY VACATING A PORTION OF DOCK STREET BETWEEN MONROE STREET AND PROPERTY KNOWN AS

TAX BLOCK 320, LOT 5 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF RAHWAY

WHEREAS, that portion of Dock Street between Monroe Street and Lot 5 on Block 320 is situated adjacent on one side to Tax Block 320 Lot 1.02 and on the other side by the Rahway River and associated levee and represents public right of way as set forth on the Official Tax Map of the City of Rahway; and

WHEREAS, Tax Block 320 Lot 1.02 and Dock Street are all currently contained within “an area in need of redevelopment” identified as the Central Business District Redevelopment Area (hereinafter referred to as the Redevelopment Area); and

WHEREAS, on October 3, 2012, Meridia, Lafayette Village Urban Renewal, Rahway, LLC (hereinafter referred to as the Redeveloper) and the Rahway Redevelopment Agency (hereinafter referred to as the RRA) entered into a redevelopment agreement for the development of a residential project on Tax Block 320, Lot 1.02 in the Redevelopment Area; and

WHEREAS, on July 31, 2012, the Redeveloper received site plan approval for the development of an 115-unit residential building on Tax Block 320, Lot 1.02 in the Redevelopment Area; and

WHEREAS, in order to comply with permit requirements of the New Jersey Department of Environmental Protection, the Redeveloper and has re-designed the project to include a portion of Dock Street, subject to vacation of the required portion of Dock Street and receipt of applicable approvals from the Rahway Planning Board and any other governmental agencies; and

WHEREAS, the right of way of that portion of Dock Street between Monroe Street and Tax Block 320, Lot 5 proposed to be vacated is more fully detailed in the metes and bounds description prepared by MCB Engineering Associates, LLC, a copy of which is attached and annexed hereto as Exhibit A; and

WHEREAS, the vacation of the subject portion of Dock Street has as its sole purpose the full satisfaction of the goals and objectives contained in the Amended and Supplemented Central Business District Redevelopment Plan and such vacation will result in the successful completion of the Redeveloper’s proposed project and will not have negative impact the City or its residents, since the Dock Street right-of-way is intended to remain passable as a roadway.

NOW, THEREFORE IT IS ORDAINED, by the Municipal Council of the City of Rahway, County of Union and State of New Jersey that:

1. All “**WHEREAS**” clauses set forth in the Preamble of this Ordinance are acknowledged, confirmed and incorporated herein as if set forth at length; and

2. That pursuant to **N.J.S.A. 40:67-1 et seq.**, the portion of Dock Street located within the Central Business District Redevelopment Area and as more particularly described in Exhibit A, attached hereto and made a part thereof be and hereby is vacated. The City however, reserves the right to maintain, operate, repair and replace by itself and by any licensee or holder of a franchise from the City, any poles, wires, pipes, conduits, sewer mains, water mains or any other facility or equipment, for the maintenance and operation of any utility now located in said street or any portion thereof; and

3. The Redeveloper shall relocate, at its sole cost and expense, any utilities within the portion of Dock Street to be vacated as well as within the remaining Dock Street right-of-way that the City Engineer and/or any public utility companies may require.

4. The Redeveloper shall pay the costs and expenses incidental to the introduction, passage and publication of this Ordinance; and

5. This Ordinance and all the documents effectuating the within vacation shall be recorded in the Office of the Union County Clerk by the City Clerk, within sixty (60) days of effective date of this Ordinance, as required by **N.J.S.A. 40:67-21**; and

6. That all Ordinances and parts of Ordinances inconsistent herewith are hereby repealed; and

7. That this Ordinance shall be part of the City of Rahway Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance Codified and incorporated in the official copies of the City of Rahway Code; and

8. That the Mayor and Council, City Clerk, Corporation Counsel and any other appropriate personnel of the City are hereby authorized and directed to execute those documents and perform those tasks necessary to effectuate the purposes of this Ordinance.

BE IT FURTHER ORDAINED, that the City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of the existing provisions; 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.

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.

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-20-13:

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

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**

Councilmember Steinman made a motion to approve the Grove Street Block Party, June 8, 2013.

The motion was seconded by Councilmember Brown

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione,
Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.

13. COMMUNICATIONS - Hearing of Citizens

Scott Caffee 756 W. Scott Ave.

Thanked young people honored at tonight's Council meeting. Asked who will be paying for the noise abatement and the new office for the Executive Director at the Hamilton Stage. Said he drove around the City and wondered how many new students will be generated by the new housing units. Challenged Councilmember Baker's previous statement that Rahway has the second lowest tax rate in Union County; Rahway is actually the 7th lowest. Criticized Councilmember Cox for never knocking on his door, even though he signed his petition; Councilmember has never done anything for Ward 2. Commented that number of Councilmembers is too high and should be reduced. Claimed that the Council is a puppet of former Mayor Kennedy.

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

14. COUNCIL COMMENT

Councilmember Mione: Said that the number of Councilmembers is helpful when voting on important matters that require a supermajority of members.

Councilmember Baker: Congratulated Councilmembers Mione and Saliga for being elected to the Elected Officials' Hall of Fame by the New Jersey State League of Municipalities. Stated that Rahway still has the second lowest municipal tax rate in Union County. Said that new artist housing will not add new students to the public schools.

Councilmember Wenson Maier: Thanked Mike Smalling, DPW and Jim Housten for assistance in removing dead trees felled by Hurricane Sandy.

Councilmember Cox: Commended tonight's honorees. Commented that if Mr. Caffee is calling him a liar, he should bring proof. Invited Mr. Caffee over his house to speak with him.

Councilmember Bresenhan: Congratulated Mr. Dzedzic and Bonner. Said that Union County College offers "College for Teens" that is open to high school students; to register, visit the UCC Web Site. Reminded everyone that Hot Rods & Harleys is Saturday, May 18 from 10 a.m.-5 p.m. Enjoyed the recent play at the Hamilton Stage and invited residents to attend a show.

Councilmember Brown: Thanked everyone for donating to Friendship Missionary Baptist Church; \$600 was raised. Thanked DPW for removing spilled paint on East Stearns St.; reminded the public not to hide discarded paint in plastic bags. Said that there is a long-term disaster relief centers in Rahway; the public is invited to contact City Hall or the First Presbyterian Church.

Councilmember Steinman: Challenged assertions made by Mr. Caffee on budget about cutbacks in City departments; cited reductions in force in numerous departments. Said that Council was placed here by the citizens of Rahway and not anybody else.

15. ADJOURNMENT

Motion to adjourn the meeting at 7:40 p.m. was made by Councilmember Steinman and seconded by Councilmember Cox:

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Mione, Wenson Maier, Steinman

ABSENT: Councilmember Saliga

Council President Steinman declared the motion carried.