

MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
OCTOBER 11, 2011
7 P.M.

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

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

ABSENT: Councilmember Wenson Maier

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 October 11, 2011 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 January 2, 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.

Councilmember Wenson Maier arrived at 7:02 p.m.

3. APPROVAL OF MINUTES

September 6, 2011	7 p.m.	Pre-Meeting Conference
September 12, 2011	7 p.m.	Regular Meeting

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

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

Council President Brown declared the motion carried.

4. PRESENTATIONS

Swearing-in of Firefighter Peter Jastrzembki
 Swearing-in of Firefighter Ramon Lopez
 Swearing-in of Fire Captain Michael Sandhorst

Motion was made by Councilmember Cox and seconded by Councilmember Rachlin to place AR-271-11 on the Agenda.

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

Council President Brown declared the motion carried.

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

6. REPORTS OF COUNCIL COMMITTEES

Councilman Mione, Sept. 11 Committee: Requested Administration create a committee to site a 9/11 Memorial in Rahway.

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

Patrick Cassio	1971 Barnett Street	O-30-11
Eddie B. Smith	1280 Clark Street	AR-271-11

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

8. CONSENT AGENDA

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

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

Council President Brown declared the motion carried.

9. ORDINANCES - First Reading

O-30-11 Deputy City Clerk Jotz read AN ORDINANCE AMENDING CHAPTER 411 OF THE CODE OF THE CITY OF RAHWAY (“WATER”).

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

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

NO: Councilmember Steinman

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 Regular Meeting on Monday, November 14, 2011 at 7 p.m.

O-31-11 Deputy City Clerk Jotz read AN ORDINANCE AMENDING CHAPTER 319
“PRECIOUS METALS, DEALERS IN” OF THE CODE OF THE CITY OF
RAHWAY.

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

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

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 Regular Meeting on Monday, November 14, 2011 at 7 p.m.

O-32-11 Deputy City Clerk Jotz read A BOND ORDINANCE PROVIDING FOR THE
ACQUISITION OF EQUIPMENT, APPROPRIATING \$128,000 THEREFOR
AND AUTHORIZING THE ISSUANCE OF \$121,600 BONDS AND/OR
NOTES OF THE CITY FOR PAYING THE COST THEREOF FOR SAID
EQUIPMENT AUTHORIZED TO BE ACQUIRED IN AND BY THE CITY OF
RAHWAY, IN THE COUNTY OF UNION, NEW JERSEY.

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

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

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 Regular Meeting on Monday, November 14, 2011 at 7 p.m.

O-33-11 Deputy City Clerk Jotz read AN ORDINANCE AMENDING CHAPTER 73 “PERSONNEL POLICIES” TO CREATE ARTICLE IV “ANTI-NEPOTISM POLICY” OF THE CODE OF THE CITY OF RAHWAY.

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

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

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 Regular Meeting on Monday, November 14, 2011 at 7 p.m.

10. RESOLUTIONS

AR-248-11 Councilmember Baker presented and moved A RESOLUTION ADOPTING THE SFY 2011 MUNICIPAL BUDGET.

The motion was seconded by Councilmember Cox.

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

Patrick Cassio 1971 Barnett Street

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

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

ABSTAIN: Councilmember Steinman

Council President Brown declared the motion carried.

AR-249-11 Councilmember Wenson Maier presented and moved A RESOLUTION APPROVING THE TY 2011 SPECIAL ASSESSMENT ROLL FOR THE RAHWAY CENTER SPECIAL IMPROVEMENT DISTRICT (RAHWAY ARTS DISTRICT).

The motion was seconded by Councilmember Steinman.

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

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

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

ABSTAIN: Councilmember Steinman

Council President Brown declared the motion carried.

AR-250-11 Councilmember Brown presented and moved A RESOLUTION ADOPTING THE CITY OF RAHWAY TY 2011 SPECIAL IMPROVEMENT DISTRICT (RAHWAY ARTS DISTRICT) BUDGET.

The motion was seconded by Councilmember Scaturro.

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

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

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

ABSTAIN: Councilmember Steinman

Council President Brown declared the motion carried.

- *AR-251-11** Councilmember Wenson Maier presented and moved A RESOLUTION AUTHORIZING REFUND OF PARKS & RECREATION FEES.

The motion was seconded by Councilmember Mione.

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

Council President Brown declared the motion carried.

- *AR-252-11** Councilmember Saliga presented and moved A RESOLUTION AUTHORIZING THE REFUND OF RIGHT-OF-WAY CONSTRUCTION BOND TO LINDA CALDIERO FOR PERMIT #08-10-306 DATED 8/18/2010 AT 2423 ST. GEORGES AVENUE FOR SIDEWALK, DRIVEWAY APRON AND CURB.

The motion was seconded by Councilmember Rachlin.

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

Council President Brown declared the motion carried.

- *AR-253-11** Councilmember Cox presented and moved A RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY TO ACCEPT A MUNICIPAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE (EMAA) GRANT FOR OCTOBER 1, 2010 TO SEPTEMBER 20, 2011.

The motion was seconded by Councilmember Brown.

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

Council President Brown declared the motion carried.

- *AR-254-11** Councilmember Baker presented and moved A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR JANITORIAL SERVICES FOR THE CITY OF RAHWAY RECREATION CENTER.

The motion was seconded by Councilmember Rachlin.

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

Council President Brown declared the motion carried.

- *AR-255-11** Councilmember Steinman presented and moved A RESOLUTION AUTHORIZING THE REFUND OF A BUILDING PERMIT FEE TO DENNIS KERNOSKI.

The motion was seconded by Councilmember Scaturro.

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

Council President Brown declared the motion carried.

- *AR-256-11** 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 Saliga.

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

Council President Brown declared the motion carried.

- *AR-257-11** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES.

The motion was seconded by Councilmember Brown.

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

Council President Brown declared the motion carried.

- *AR-258-11** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES.

The motion was seconded by Councilmember Brown.

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

Council President Brown declared the motion carried.

- *AR-259-11** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES.

The motion was seconded by Councilmember Brown.

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

Council President Brown declared the motion carried.

- *AR-260-11** Councilmember Scaturro presented and moved A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE 2010 FISCAL YEAR.

The motion was seconded by Councilmember Rachlin.

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

Council President Brown declared the motion carried.

- *AR-261-11** 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 Steinman.

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

Council President Brown declared the motion carried.

- *AR-262-11** Councilmember Cox presented and moved A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE 2011 TRANSITIONAL YEAR.

The motion was seconded by Councilmember Saliga.

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

Council President Brown declared the motion carried.

- *AR-263-11** Councilmember Saliga presented and moved A RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO UNITED WATER OPERATIONS CONTRACTS INC. FOR PREPARATION OF A HYDRAULIC MODEL STUDY OF THE CITY OF RAHWAY WATER DISTRIBUTION SYSTEM.

The motion was seconded by Councilmember Baker.

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

Council President Brown declared the motion carried.

- *AR-264-11** Councilmember Brown presented and moved A RESOLUTION REQUESTING FUNDING TO COVER ADDITIONAL COSTS RESULTING FROM HURRICANE IRENE.

The motion was seconded by Councilmember Cox.

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

Council President Brown declared the motion carried.

- *AR-265-11** Councilmember Brown presented and moved A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF MICHAEL SMALLING AS DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS.

The motion was seconded by Councilmember Cox.

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

Council President Brown declared the motion carried.

- *AR-266-11** Councilmember Saliga presented and moved A RESOLUTION AUTHORIZING REFUND OF SENIOR SERVICES FEES.

The motion was seconded by Councilmember Baker.

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

Council President Brown declared the motion carried.

- *AR-267-11** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING MEMBERSHIP RENEWAL IN THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND.

The motion was seconded by Councilmember Steinman.

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

Council President Brown declared the motion carried.

***AR-268-11** Councilmember Scaturo presented and moved A RESOLUTION AMENDING THE SFY 2011 CAPITAL BUDGET.

The motion was seconded by Councilmember Rachlin.

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

Council President Brown declared the motion carried.

***AR-269-11** Councilmember Baker presented and moved A RESOLUTION AMENDING THE TY 2011 MUNICIPAL BUDGET.

The motion was seconded by Councilmember Saliga.

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

Council President Brown declared the motion carried.

AR-270-11 Councilmember Baker presented and moved A RESOLUTION REQUESTING THAT SPACE IN THE RAHWAY PUBLIC LIBRARY BE NAMED AFTER CONGRESSMAN DONALD M. PAYNE.

The motion was seconded by Councilmember Mione.

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

Council President Brown declared the motion carried.

AR-271-11 Councilmember Cox presented and moved A RESOLUTION TO APPROVE AND EXECUTE AN AMENDMENT TO THE LOCAL WASTE AGREEMENT WITH THE UNION COUNTY UTILITIES AUTHORITY.

The motion was seconded by Councilmember Rachlin.

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

Council President Brown declared the motion carried.

11. Ordinances – Second Reading

12. MISCELLANEOUS

Block Party – Dean Marcantonio, 1434 New Church St. Oct. 22 (Rain Date Oct. 29)

Motion made by Councilmember Brown, seconded by Councilmember Rachlin, to accept and grant the above permit.

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

Council President Brown declared the motion carried.

13. COMMUNICATIONS - Hearing of Citizens

Marva May 653 W. Hazelwood Ave.
Spoke about the need for a 9/11 monument and letter submitted to Council.

Scott Caffee 753 West Scott Ave.
Commented on condition of the City and thanked Councilmember Brown for his assistance.
Spoke on the Mayor's attempt to appoint a family member. Commented on traffic patters and
recommended that the Council step down. Spoke on taxes.

Patrick Cassio 1971 Barnett Street
Commented on water rates and agreed with concerns of previous speaker. Spoke about pension
and health benefit reforms and events at the 9/11 ceremony concerning a Councilmember.

Mike Smalling 434 Grove Street
Thanked Council for its support. Thanked former Mayor James Kennedy, Business
Administrator Peter Pelissier and Mayor Rick Proctor for all the opportunities they have given
him for the past 23 years.

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

14. COUNCIL COMMENT

Councilmember Baker: Addressed statement made by Mr. Cassio concerning behavior at the
9/11 ceremony and said that the entire Council may not know what happened that day.

Councilmember Steinman: Commented on statement made by Mr. Cassio and disputed his
credibility. Spoke on O-33-11 and the City's anti-nepotism policy.

Councilmember Wenson Maier: Spoke on confrontation at 9/11 ceremony.

Councilmember Cox: Welcomed new Firefighters and new Fire Captain.

Councilmember Brown: Thanked Mike Smalling for doing an outstanding job. Spoke on AR-270-11 and said that he worked closely with Congressman Payne on the library and that he is worthy of the honor. Thanked people who called and e-mailed him concerning his illness and his trip to Rahway Hospital.

ADJOURNMENT

Motion to adjourn the meeting at 8:08 p.m. was made by Councilmember Mione and seconded by Councilmember Scaturro.

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

Council President Brown declared the motion carried.