

MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
MARCH 9, 2015
7 P.M.

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

PRESENT: Councilmembers Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmembers Baker, Cox

City Clerk Jeffrey J. Jotz announced the meeting had been advertised and posted in accordance with the Open Public Meetings Act of the State of New Jersey.

This meeting of March 9, 2015 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, 2015 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.

Councilmember Baker arrived at 7:02 p.m.

2. PLEDGE OF ALLEGIANCE

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

3. APPROVAL OF MINUTES

February 3, 2015	7 p.m.	Pre-Meeting Conference
February 9, 2015	7 p.m.	Regular Meeting

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

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

4. PRESENTATIONS

Commend Ajanae Thompson

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

6. REPORTS OF COUNCIL COMMITTEES

Councilmember Wenson Maier moved to place AR-73-15 and AR-74-15 on the Agenda and Consent Agenda.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

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

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

8. CONSENT AGENDA

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

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

9. ORDINANCES - First Reading

10. RESOLUTIONS

- *AR-57-15** Councilmember Wenson Maier presented and moved A RESOLUTION AUTHORIZING REFUND OF PARKS & RECREATION.

The motion was seconded by Councilmember Farrar.

YES: Councilmembers Baker, Cox, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Brown

Council President Bresenhan declared the motion carried.

- *AR-58-15** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING THE REFUND OF PROPERTY REGISTRATION FEES.

The motion was seconded by Councilmember Mojica.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

- *AR-59-15** Councilmember Baker presented and moved A RESOLUTION AUTHORIZING REFUND OF ALARM REGISTRATION FEES.

The motion was seconded by Councilmember Miles.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

***AR-60-15** Councilmember Farrar presented and moved A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CREDIT OVERPAYMENT OF TAXES DUE TO A JUDGMENT OF THE TAX COURT OF NEW JERSEY.

The motion was seconded by Councilmember Giacobbe.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

***AR-61-15** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES.

The motion was seconded by Councilmember Wenson Maier.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

***AR-62-15** Councilmember Miles presented and moved A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE 2014 & 2015 CALENDAR YEARS.

The motion was seconded by Councilmember Mojica.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

- *AR-63-15** Councilmember Giacobbe 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 Miles.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

- *AR-64-15** Council President Bresenhan presented and moved A RESOLUTION SUPPORTING ASSEMBLY BILL A-1109 WHICH SEEKS TO IMPLEMENT STRICTER RULES AND REGULATIONS FOR ORGANIZATIONS THAT HOUSE AND CARE FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.

The motion was seconded by the Entire Council.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

- *AR-65-15** Councilmember Giacobbe presented and moved A RESOLUTION AUTHORIZING THE RETURN OF PERFORMANCE BOND AND FINAL PAYMENT FOR THE "STREETSCAPE SECTION VI PROJECT TO DM FERNANDEZ CONTRACTS, LLC.

The motion was seconded by Councilmember Farrar.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

***AR-66-15** Councilmember Mojica presented and moved A RESOLUTION AUTHORIZING THE RECOMMENDATIONS AND CONDITIONS FOR BOND RELEASES TO METRO RAHWAY URBAN RENEWAL, LLC, 1420 CAMPBELL STREET, BLOCK 149, LOTS 1, 5, 6, & 22 – 25.

The motion was seconded by Councilmember Wenson Maier.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

***AR-67-15** Councilmember Brown presented and moved A RESOLUTION AWARDDING THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED “NEW INTERCONNECTION PIPELINE” FOR THE CITY OF RAHWAY TO PM CONSTRUCTION CORP.

The motion was seconded by Councilmember Mojica.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

***AR-68-15** Councilmember Farrar 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 Miles.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

***AR-69-15** Councilmember Giacobbe presented and moved A RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF WATER BILLS.

The motion was seconded by Councilmember Farrar.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica,
Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

***AR-70-15** Councilmember Miles presented and moved A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO ARKADY STRATEGIC COMMUNICATIONS FOR WEB DESIGN, MANAGEMENT AND MAINTENANCE.

The motion was seconded by Councilmember Mojica.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica,
Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

***AR-71-15** Councilmember Farrar presented and moved A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE UNION COUNTY PERFORMING ARTS CENTER TO PROVIDE TECHNICAL AND PROGRAMMING ASSISTANCE ON AN AS NEEDED BASIS FOR CERTAIN ARTS BASED EVENTS OFFERED BY THE CITY OF RAHWAY.

The motion was seconded by the Entire Council.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica,
Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

- *AR-72-15** Council President Bresenhan presented and moved A RESOLUTION AUTHORIZING THE TRANSFER OF CY 2014 BUDGET APPROPRIATION RESERVES.

The motion was seconded by the Entire Council.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

- *AR-73-15** Councilmember Wenson Maier presented and moved A RESOLUTION APPOINTING A MEMBER OF MUNICIPAL COUNCIL AS THE CLASS III MEMBER OF THE PLANNING BOARD (ROBERT BRESENHAN JR.).

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

- *AR-74-15** Councilmember Wenson Maier presented and moved A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT (ADRIAN ZAPOTOCKY, JORGE E. CASALINS, JAMES HEIM, JAIME E. ROLONG).

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

11. ORDINANCES – SECOND READING

- O-3-15** Council President Bresenhan: 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 389 OF THE CODE OF THE CITY OF RAHWAY (TOW TRUCKS; WRECKERS)

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

389-15 Permitted Fees

AMEND

Permitted Fees

From:

- A. The permitted fees for towing and storage in the City of Rahway are hereby established and there shall be no additional charges other than those provided herein:

- (1) Tow rates, 24 hours a day/7days a week:

Service	Rate
Towing Charge, Category I (All vehicles 0 to 9,999 lbs GVW)	\$85
Towing Charge, Category II (All vehicles 10,000 to 14,999 lbs GVW)	\$100
Towing Charge, Category III (All vehicles over 15,000 GVW)	\$125

To:

- A. The permitted fees for towing and storage in the City of Rahway are hereby established and there shall be no additional charges other than those provided herein:

- (1) Tow rates, 24 hours a day/7 days a week:

Service	Rate
Towing Charge, Category I (All vehicles 0 to 9,999 lbs GVW)	\$115

Towing Charge, Category II (All vehicles 10,000 to 14,999 lbs GVW)
\$135

Towing Charge, Category III (All vehicles over 15,000 lbs GVW)
\$155

**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 Bresenhan 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 Bresenhan closed the Public Hearing.

Roll Call for O-3-15:

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica,
Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan: 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

Dan Fitzpatrick 2304 Elizabeth Avenue
Spoke on the poor condition of 2312 Elizabeth Avenue. Said he has written three Mayors and Mayor Steinman was the only Mayor who failed to respond. Asked for assistance with the property.

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

14. COUNCIL COMMENT

Councilmember Mojica: Thanked the PBA for the Awards Banquet.

Councilmember Miles: Said that the Friends of the Rahway Public Library will be holding their annual book sale next month and that books for the sale may be dropped off at the Library.

Councilmember Baker: Spoke about the resident's concerns over property maintenance. Encouraged citizens to get involved.

Councilmember Giacobbe: Encouraged residents to attend March Madness on March 21.

Councilmember Brown: Said he was impressed with the City's Black History Month celebration, especially the event at the 7th & 8th Grade Academy. Thanked all those responsible.

Council President Bresenhan: Encouraged residents to attend March Madness on March 21 and *Dreamgirls* at the UCPAC this coming weekend.

15. ADJOURNMENT

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

YES: Councilmembers Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

Approved:

Jeffrey J. Jotz, RMC
City Clerk

Robert "Bob" Bresenhan, Jr.
Council President