

MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
MAY 11, 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 Baker, Brown, Farrar, Giacobbe, Miles, Mojica, Wenson Maier, Bresenhan

ABSENT: Councilmember 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 May 11, 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.

2. PLEDGE OF ALLEGIANCE

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

3. APPROVAL OF MINUTES

April 7, 2015	7 p.m.	Pre-Meeting Conference
April 13, 2015	7 p.m.	Regular Meeting

Motion was made by Councilmember Giacobbe and seconded by Councilmember Wenson Maier 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

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

6. REPORTS OF COUNCIL COMMITTEES

Councilmember Wenson Maier moved to place AR-116-15 and AR-117-15 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-98-15 Council President Bresenhan presented and moved A RESOLUTION ADOPTING THE CY 2015 MUNICIPAL BUDGET.

The motion was seconded by the Entire Council.

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.

Scott Caffee	756 W. Scott Ave.
Patrick Cassio	1971 Barnett St.

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

Councilmember Miles, seconded by Councilmember Baker, moved to place AR-118-15, "A RESOLUION AMENDING THE CY 2015 MUNICIPAL BUDGET" on the agenda.

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

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

Councilmember Miles, seconded by Councilmember Baker, moved to adopt AR-118-15, "A RESOLUION AMENDING THE CY 2015 MUNICIPAL BUDGET".

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

ABSENT: Councilmember Cox

Council President Bresenhan declared the motion carried.

Roll Call for AR-98-15, CY 2015 Budget As Amended:

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

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

***AR-99-15** Council President Bresenhan presented and moved A RESOLUTION SUPPORTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S DESIGNATION OF A PORTION OF STATE ROUTE 27 IN THE CITY OF RAHWAY AS A "NO PASSING ZONE".

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-100-15** Council President Bresenhan presented and moved A RESOLUTION SUPPORTING ASSEMBLY BILL A-4325, THE "TRANSPARENT TAX ACT OF 2015".

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-101-15** Councilmember Wenson Maier presented and moved A RESOLUTION AWARDING THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED "SINKHOLE REPAIR PROJECT" FOR THE CITY OF RAHWAY TO S. BROTHERS, INC.

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.

- *AR-102-15** Councilmember Farrar presented and moved A RESOLUTION REJECTING ALL BIDS RECEIVED FOR THE SIDEWALK REPAIR PROJECT.

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-103-15** Councilmember Brown presented and moved A RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT FOR ENGINEERING CONSULTING SERVICES RELATIVE TO CONTINUED HYDRAULIC ANALYSES OF THE WATER DISTRIBUTION SYSTEM.

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-104-15** Councilmember Mojica presented and moved A RESOLUTION AUTHORIZING A SETTLEMENT AGREEMENT WITH COLONIAL SURETY COMPANY FOR RAHWAY STREETScape SECTION III-A.

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-105-15** Councilmember Miles presented and moved A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION BY THE CITY OF RAHWAY FOR ENROLLMENT IN THE “1033 PROGRAM” ESTABLISHED BY THE UNITED STATES DEPARTMENT OF DEFENSE PURSUANT TO 10 U.S.C. s. 2576a.

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-106-15** Councilmember Brown presented and moved A RESOLUTION RESCINDING RESOLUTION AR-84-15, “A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF RADIO EQUIPMENT TO UPGRADE THE CONSOLE RADIO FOR THE POLICE DISPATCH COMMUNICATIONS CENTER VIA STATE CONTRACT”.

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-107-15** Councilmember Farrar presented and moved A RESOLUTION AUTHORIZING THE INSTALLATION OF RADIO EQUIPMENT TO UPGRADE THE CONSOLE RADIO FOR THE POLICE DISPATCH COMMUNICATIONS CENTER VIA STATE CONTRACT.

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.

***AR-108-15** Councilmember Miles presented and moved A RESOLUTION AUTHORIZING THE RETURN OF PERFORMANCE BOND AND FINAL PAYMENT FOR THE “HAMILTON STREET ROADWAY IMPROVEMENT PROJECT” TO CRC GENERAL CONTRACTORS, INC..

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-109-15** Councilmember Mojica presented and moved A RESOLUTION AUTHORIZING REFUND OF PARKS & RECREATION 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-110-15** Council President Bresenhan presented and moved A RESOLUTION AUTHORIZING REFUND OF SENIOR SERVICES FEES.

The motion was seconded by Councilmember Farrar.

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

ABSENT: Councilmember Cox

***AR-111-15** 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-112-15** Councilmember Wenson Maier presented and moved A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE 2011 & 2015 CALENDAR YEARS.

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-113-15** Councilmember Mojica presented and moved A RESOLUTION CANCELLING A LIEN PLACED ON A CERTAIN PROPERTY IN THE CITY OF RAHWAY.

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-114-15** Councilmember Miles presented and moved A RESOLUTION AUTHORIZING THE BOND RELEASES TO BUNKER HILL HOMES, INC., FOR 457 TENEYKE PLACE (A.K.A.JOSE GONZALES-1075 RUTHERFORD STREET), BLOCK 385, LOTS 18.02.

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-115-15** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF RADIO EQUIPMENT TO UPGRADE THE CONSOLE RADIO FOR THE POLICE DISPATCH COMMUNICATIONS CENTER VIA STATE CONTRACT.

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-116-15** Councilmember Wenson Maier presented and moved A RESOLUTION CHANGING THE DATE OF THE JUNE CITY COUNCIL MEETING TO TUESDAY, JUNE 16, 2015.

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.

***AR-117-15** Councilmember Wenson Maier presented and moved A RESOLUTION SUPPORTING THE CLICK IT OR TICKET MOBILIZATION OF MAY 18-31, 2015.

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-4-15 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 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) – PERMIT PARKING

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

401-85 Schedule XXVII: Parking By Permit Only in Designated Residential and Business Areas:

In accordance with the provisions of 401-54, parking in the following locations shall be restricted to permit parking only.

Name of Street	Side	Hours/Days	Location
Campbell Street	West	24 Hours per Day Monday thru Sunday	From Elm Avenue to W Cherry Street
Elm Avenue	South	24 Hours per Day Mon thru Sunday	From Campbell Street heading west 105.5' towards Esterbrook Avenue
W. Cherry Street	North	24 Hours per Day Mon thru Sunday	From Campbell Street heading west 102.2' towards Esterbrook Avenue

WHEREAS, the City Council hereby determines that a 2.0 % increase in the budget for said year, amounting to \$826,813 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 herein above 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 2015 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 \$1,446,922, and that the CY 2015 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 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-5-15:

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.

O-6-15 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 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

Add:

In front of 1536 Campbell Street

West Side- Beginning at a point 91 feet South of the intersection of Central Ave extending to point 22 feet South 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 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-6-15:

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.

O-7-15 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 TO AMEND AND SUPPLEMENT CHAPTER 381 OF THE CODE OF THE CITY OF RAHWAY (TAXICABS)

WHEREAS, the City of Rahway has adopted a Taxicab Ordinance to regulate the issuance of permits and licenses by the City to qualified taxicabs owners and drivers and to ensure the safety of all taxicab drivers and passengers; and

WHEREAS, the City of Rahway desires to amend portions Chapter 381, Taxicabs, of the Code of the City of Rahway.

NOW, THEREFORE, be it ordained, by the City Council of the City of Rahway, County of Union, State of New Jersey, as follows:

Section 1. “Chapter 381, Article II, Taxicab Licenses, § 381-2. License Required.”, of the Code of the City of Rahway is deleted in its entirety and revised to read as follows:

§ 381-2. License required.

No person shall operate or permit a taxicab owned or controlled by him or her to be operated as a vehicle for hire without having first obtained a taxicab license from the City of Rahway after approval by the Police Chief. The number of outstanding certificates shall be limited to a total of thirty (30) taxis.

Section 2. “Chapter 381, Article II, Taxicab Licenses, § 381-3. Application for Taxicab License.”, of the Code of the City of Rahway is deleted in its entirety and revised to read as follows:

§ 381-3. Application for taxicab license.

An application for a taxicab license shall be filed with the Police Chief upon forms provided by the Police Department and the application shall be verified under oath and shall furnish the following information:

- A. Name, address, date of birth, telephone, social security and motor vehicle operator license numbers of the applicant.
- B. Experience of the applicant in the transportation of passengers.
- C. Any facts in which the applicant believes tend to prove that public convenience and necessity require the granting of a taxicab license.

- D. Number of vehicles to be operated or controlled by the applicant and the location of proposed depots and terminals.
- E. Four (4) photographs (minimum size of 3 ½ inches by 3 ½ inches) of each taxi (full frontal, full rear and bumper-to-bumper left and right side views). (This requirement shall not apply to renewal applications, but to initial applications under this ordinance and replacement vehicles only.)
- F. A statement as to whether or not the applicant has ever been convicted of any violation of the law in this or any other jurisdiction, other than minor motor vehicle violations not resulting in the suspension or revocation of his driver's license or vehicle registration nor in damage or injury to the property or persons of others, and if so, a statement of the nature of each such conviction, the penalty imposed for each such conviction and the date and place at which each such conviction was entered.
- G. A statement to the effect that prior to or concurrent with the filing of the application, the applicant's fingerprints have been recorded with the Police Chief or his designee.
- H. Such other information the Police Chief may require.

Section 3. "Chapter 381, Article II, Taxicab Licenses, § 381-5. Approval and Issuance of Licenses.", of the Code of the City of Rahway is deleted in its entirety and revised to read as follows:

§ 381-5. Approval and issuance of licenses.

- A. No application shall be approved, nor shall any license be issued, unless the Police Chief or his designee determines:
 - (1) That the applicant is of good character, fit, willing and able to provide such public transportation and to conform to all of the conditions and provisions of this chapter.
 - (2) That the vehicle is covered by a bond or liability insurance policy inuring to the benefit of any person or persons who may sustain injury or damage by reason of the negligence of the applicant or his agents, servants or employees arising out of or in the course of the use of the vehicle as a taxicab and providing for limits of not less than \$15,000 for injury to any

one person, \$30,000 for injuries to more than one person sustained in the same accident, and \$5,000 for property damage resulting from any one accident.

- (3) That the vehicle is validly registered in the State of New Jersey, bears on each side, in letters readable at a distance of 20 feet, the name of the licensee and bears a color scheme or insignia sufficiently distinctive to identify it as a taxicab and to differentiate it from the taxicab or taxicabs of any other licenses at a distance of 50 feet. If more than one taxicab is owned or operated by any licensee, each such taxicab shall be designated by a different number, which number shall also appear on each side and the rear of the vehicle.
- B. If the Police Chief finds that all of the foregoing conditions and provisions have been met or complied with and that the public convenience and necessity will be served by the issuance of such license, he shall approve the application and shall cause to be issued to the applicant a taxicab license stating the name and address of the applicant, a description of the vehicle and such other information as he may deem appropriate; otherwise the application shall be denied.
 - C. In making the above findings, the Police Chief shall take into consideration the number of taxicabs already in operation, whether existing transportation is adequate to meet the public need, the probable effect of increased service on local traffic conditions, and the character, experience and responsibility of the applicant.
 - D. If the application is denied, written reasons for such denial shall be given to the applicant. The applicant may appeal such denial to the Business Administrator in writing within 20 days of his or her receipt of the written reasons for denial. A hearing shall be scheduled upon at least 10 days' notice to the applicant.

Section 4. The second sentence in “Chapter 381, Article II, Taxicab Licenses, § 381-7. Term of License, Fees.” of the Code of the City of Rahway is deleted in its entirety and revised to read as follows:

The fee for a new license shall be \$75.00 and the fee for a renewal license shall be \$40.00.

Section 5. The fee stated in “Chapter 381, Article II, Taxicab Licenses, § 381-8. Transfer of License, Fees”, of the Code of the City of Rahway shall be revised from \$12.50 to \$50.00.

Section 6. “Chapter 381, Article III, Taxicab Driver Permits, § 381-11. Approval and Issuance of Permit.”, of the Code of the City of Rahway shall be amended to include the following:

C. Should the Chief of Police or his designee find that the applicant is not fit for an annual taxi permit, he may issue a conditional license which will be valid for a period of three (3) months at which point a new background check will be conducted. If no violation or improper conduct is found, the applicant may apply for an annual taxicab driver permit.

Section 7. The fee stated in “Chapter 381, Article III, Taxicab Driver Permits, § 381-12. Term of Permit, Fees.” of the Code of the City of Rahway shall be revised from \$6 to \$40.00. The last sentence in § 381-12 shall be deleted.

Section 8. “Chapter 381, Article II, Taxicab Licenses, § 381-17. Standards for taxicabs and drivers.”, of the Code of the City of Rahway is deleted in its entirety and revised to read as follows:

- A. A taxicab driver shall have a good driving record.
- B. Every taxicab operating within the city under this chapter shall be periodically inspected by the Police Department at such intervals as shall be determined by the Police Chief to ensure continued safe, clean and lawful operating conditions.
- C. No driver of a taxicab within the city shall drink any intoxicating beverages, ingest any medicines or drugs likely to affect his ability to drive, use any profane or indecent language, shout or call to any prospective passengers or disturb the peace in any way while on duty.
- D. A taxicab driver will report any motor vehicle accident, any motor vehicle summons, any motor vehicle drivers’ license suspension and any arrest to the Police Chief or his designee within 48 hours of any violation whether said violation occurred while on duty as a taxi driver or while off duty.
- E. Any controlled substance or narcotic prescribed by a doctor shall be reported to the Police Chief or his designee prior to the start of a taxicab driver’s next shift.
- F. All drivers of taxicabs within the city shall accept as passengers any persons who seek to so use the taxicab, provided that such person is not intoxicated and conducts himself in an orderly manner. No person shall be admitted to a taxicab occupied by a passenger without the consent of the passenger. The driver shall take his passenger to his destination by the most direct available route from the place where the passenger enters

the taxicab.

- G. Every taxicab driver operating a taxicab within the city shall display his taxicab driver permit in such a manner as to be in view by all passengers.
- H. A taxicab driver shall thoroughly search the interior of the vehicle immediately after the termination of each trip and note if the passenger has left any article therein. Any property found shall be taken to Rahway police headquarters and turned in to the officer in charge within 24 hours.
- I. A taxicab driver entering a taxi stand shall do so by taking his position at the rear of any taxis already on the stand.
- J. A taxicab driver shall not solicit patronage from restaurants, night clubs, cabarets, dance halls, hotels, or like places, nor solicit for any place maintained in violation of the law

Section 9. “Chapter 381, Article VI, Enforcement.” of the Code of the City of Rahway is deleted in its entirety and revised to read as follows:

Article VI. Enforcement

§ 381-19. Suspension or revocation.

Any taxicab license or taxicab driver permit issued pursuant to this chapter may be suspended or revoked by the Police Chief or his designee after due notice and hearing if:

- A. The holder thereof has violated any of the provisions of this chapter.
- B. The holder thereof has violated any ordinances of the city or laws of the United States or of the State of New Jersey, the violation of which, in the judgment of the Police Chief or his designee, renders the holder unfit to continue to hold such license or permit.
- C. The holder thereof has performed any act or omitted to perform any act which would constitute a basis for a denial of an application for his license or permit.
- D. The licensed taxicab is found to be unfit, unsafe, unsanitary or unsuited for public patronage.

§ 381-20. Notice prior to suspension or revocation; hearing.

- A. Prior to suspension or revocation, the holder shall be given notice and a copy of the charges and shall have an opportunity to present evidence on his or her behalf to the Police Chief.
- B. An adverse ruling by the Police Chief may be appealed to the Business Administrator. The request to appeal shall be in writing and submitted within 20 days of adverse ruling. A hearing shall be scheduled upon at least 10 days' notice to the holder.

§ 381-21. Violations and penalties.

Any person who violates any provisions of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$500 or by imprisonment for a term not exceeding 90 days, or both. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 10. All Ordinances or parts of Ordinances inconsistent herewith are repealed.

Section 11. If any section, subsection, sentence, clause, phrase, or a portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 12. This Ordinance shall become effective after second reading and publication as required 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.

Patricia Maye 1470 Campbell St.

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

Roll Call for O-7-15:

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.

O-8-15 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 ORDINANCE O-16-14 , “AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE CITY OF RAHWAY, NEW JERSEY”

WHEREAS, the City Clerk has received the Comcast of New Jersey II, LLC (“Comcast”) Application for Renewal of Municipal Consent (the “Application”) dated September 23, 2013 regarding the renewal of Comcast’s non-exclusive cable television franchise agreement with the City of Rahway (the “City”); and

WHEREAS, upon receipt of the Application, the City began the formal process to determine whether to renew its existing cable television franchise agreement with Comcast and held a public hearing on February 4, 2013 to determine whether to renew, or deny renewal of Municipal Consent to Comcast; and

WHEREAS, based upon the review of the Application and the information garnered at the February 4, 2014 public hearing, the City Council adopted Resolution # AR-24-14 on February 10, 2014 whereby it granted consent to Comcast and authorized the City’s Business Administrator to enter into negotiations with Comcast for a new cable television franchise agreement.

WHEREAS, on June 11, 2014 the City Council adopted a resolution referring a franchise renewal ordinance to the Office of Cable Television within the New Jersey Board of Public Utilities for review and approval; and

WHEREAS, after receiving the approval of the Office of Cable Television within the New Jersey Board of Public Utilities the City Council introduced the franchise renewal ordinance at a meeting held on July 14, 2014; and

WHEREAS, after a public hearing on August 11, 2014, the City Council adopted O-16-14 granting renewal of municipal consent for Comcast to construct, connect, operate and maintain a cable television and telecommunications system in the City of Rahway; and

WHEREAS, after receiving O-16-14, Comcast made the City Council aware that it required the ordinance to be amended to include certain language concerning Comcast's reservation of its rights pursuant to law; and

WHEREAS, the City Council is amenable to the inclusion of the language requested by Comcast; and

WHEREAS, the Cable Television Ordinance set forth below embodies the commitments of Comcast and the City to each other.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Rahway, County of Union, State of New Jersey that this franchise agreement in the form of an ordinance shall, upon approval by the New Jersey Board of Public Utilities, supersede and replace in its entirety the franchise agreement adopted pursuant to Ordinance #O-48-99 adopted by the City Council of the City of Rahway on November 8, 1999:

SECTION 1. PURPOSE OF THE ORDINANCE

The City hereby grants to Comcast of New Jersey II, LLC ("Comcast") renewal of its non-exclusive municipal consent to place in, upon, along, across, above, over and under highways, streets, alleys, sidewalks, public ways and public places in the City, poles, wires, cables, underground conduits, manholes and other television conductors, fixtures, apparatus and equipment as may be necessary for the construction, operation and maintenance in the City of a cable television and communications system.

SECTION 2. DEFINITIONS

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions of the Federal Communications Commission ("FCC") rules and regulations, 47 C.F.R. Subsection 76.1 et seq., and the Communications Act of 1934 at 47 U.S.C. Section 521 et seq., as amended, and the Cable Television Act at N.J.S.A. 48:5A-1 et seq., and shall in no way be construed to broaden, alter or conflict with the federal or state definitions:

- a. "Act" or "Cable Television Act" is P.L. 1972, c. 186 of the General Laws of New Jersey, and subsequent amendments thereto, N.J.S.A. 48:5A-1, et seq.
- b. "Application" is the Company's Application for Renewal of Municipal Consent dated September 23, 2013.

- c. "Board" or "BPU" is the Board of Public Utilities, State of New Jersey.
- d. "City" or "Municipality" is the City of Rahway, County of Union, State of New Jersey.
- e. "Company" is the grantee of rights under this Ordinance and is known as Comcast of New Jersey II, LLC.
- f. "FCC" is the Federal Communications Commission.
- g. "Office" or "OCTV" is the Office of Cable Television of the Board.

SECTION 3. STATEMENT OF FINDINGS

A public hearing conducted by the City concerning the renewal of municipal consent herein granted to the Company was held on February 4, 2014 after proper public notice pursuant to the terms and conditions of the Act and the regulations of the Board adopted pursuant thereto. Said hearing, having been fully open to the public, and the City having received at said public hearing all comments regarding the qualifications of the Company to receive this renewal of municipal consent, the City hereby finds that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

SECTION 4. DURATION OF FRANCHISE

A. The non-exclusive municipal consent granted herein shall expire 15 years from the date of expiration of the previous Certificate of Approval issued by the Board, with a 10-year automatic renewal as provided by N.J.S.A. 48:5A-19 and 25, and N.J.A.C. 14:18-13.6.

B. In the event that the City shall find that the Company has not substantially complied with the material terms and conditions of this ordinance, the City shall have the right to petition the OCTV, pursuant to N.J.S.A. 48:5A-47, for appropriate action, including modification and/or termination of the Certificate of Approval; provided however, that the City shall first have given the Company written notice of all alleged instances of non-compliance and an opportunity to cure same within ninety (90) days of that notification.

SECTION 5. FRANCHISE FEE

Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the City two

percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for cable television reception service in the City or any higher amount required by the Act or otherwise allowable by law, whichever is greater.

SECTION 6. FRANCHISE TERRITORY

The consent granted under this ordinance to the renewal of the franchise shall apply to the entirety of the City and any property subsequently annexed hereto.

SECTION 7. EXTENSION OF SERVICE

A. The Company shall be required to proffer service to any residence or business along any public right-of-way in the franchise territory at tariffed rates for standard and non-standard installation. The Company's Line Extension Policy, as set forth in the Company's Application, shall govern any extension of the Plant beyond the Primary Service Area.

SECTION 8. CONSTRUCTION REQUIREMENTS

A. Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways, or other surface in the natural topography, the Company shall at its sole cost and expense, restore and replace such places or things so disturbed in as good a condition as existed prior to the commencement of said work.

B. Relocation: If at any time during the period of this consent, the City shall alter or change the grade of any street, alley or other way or place, the Company upon reasonable notice by the City, shall remove, re-lay or relocate its equipment, at the expense of the Company.

C. Temporary Removal of Cables: The Company shall temporarily move or remove appropriate parts of its facilities to allow for the moving of buildings, and machinery, or in other similar circumstances. The expense shall be borne by the party requesting such action, except when the request is made by the City, in which case the Company shall bear the cost of such temporary removal.

D. Removal or Trimming of Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks or other public places of the City so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance of the Company's wire and cables.

SECTION 9. CUSTOMER SERVICE

A. In providing services to its customers, the Company shall comply with N.J.A.C. 14:18-1, et seq. and all applicable state and federal statutes and regulations. The Company shall strive to meet or exceed all voluntary Company and industry standards in the delivery of customer service and shall be prepared to report on it to the City upon written request of the Business Administrator or City Clerk.

B. The Company shall continue to comply fully with all applicable state and federal statutes and regulations regarding credit for outages, the reporting of same to regulatory agencies and notification of same to customers.

C. The Company shall continue to fully comply with all applicable state and federal statutes and regulations regarding the availability of devices for the hearing impaired and the notification of same to customers.

D. The Company shall use every reasonable effort to meet or exceed voluntary standards for telephone accessibility developed by the National Cable Television Association (NCTA).

E. Nothing herein shall impair the right of any subscriber or the City to express any comment with respect to telephone accessibility to the Complaint Officer, or impair the right of the Complaint Officer to take any action that is permitted under law.

SECTION 10. MUNICIPAL COMPLAINT OFFICER

The Office of Cable Television is hereby designed as the complaint officer for the City of Rahway pursuant to N.J.S.A. 48:5A-26(b). All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5. The City shall have the right to request copies of records and reports pertaining to complaints by the City's customers from the OCTV.

SECTION 11. LOCAL OFFICE

The Company shall maintain a local business office or agent in accordance with N.J.A.C. 14:18-5.1 for the purpose of receiving, investigating and resolving all local complaints regarding the quality of service, equipment malfunctions, and similar matters. The local business office shall have a publicly listed toll-free telephone number and be open during standard business hours, and in no event (excepting emergency circumstances) less than 9:00 A.M. to 5:00 P.M., Monday through Friday.

SECTION 12. PERFORMANCE BOND

During the life of the franchise the Company shall give to the City a bond in the amount of twenty-five thousand (\$25,000.00) dollars. This bond shall insure the faithful performance of all undertakings of the Company as represented in its Application which representations are incorporated herein by reference.

SECTION 13. SUBSCRIBER RATES

The rates of the Company shall be subject to regulation as permitted by federal and state law.

SECTION 14. PUBLIC, EDUCATIONAL AND GOVERNMENTAL ACCESS

A. The Company shall continue to provide the City with one system-wide public access channel maintained by the Company. Qualified individuals and organizations may utilize the public access channel for the purpose of cable-casting non-commercial access programming in conformance with the Company's published public access rules.

B. The Company shall continue to provide the City with one system-wide leased access or commercial access channel maintained by the Company for the purpose of cable-casting commercial access programming in conformance with the Company's guideline and applicable state and federal statutes and regulations.

C. The Company shall continue to provide the City with one dedicated local access channel maintained by the Company for the purpose of cable-casting non-commercial governmental access programming for use by the City and its designees. The Company shall also maintain the dedicated fiber optic return line originating in the Rahway Municipal Building.

D. The Company shall continue to provide the City with one dedicated local access channel maintained by the Company for the purpose of cable-casting non-commercial educational access programming for use by the City and its designees. The Company shall also maintain the dedicated fiber optic return line originating in Rahway High School Building.

E. The Company shall take any steps that are necessary to ensure that the signals originated on the access channels are carried without material degradation, and with a signal whose quality is equal to that of the other standard channels that the Company transmits.

F. Within six (6) months of the issuance of a Renewal Certificate of Approval (COA) from the Board, the Company shall provide the City a one-time

access related technology grant in the amount of one hundred fifty thousand dollars (\$150,000).

G. The Company shall continue to make available to the City, the Company's mobile production vehicle for the purpose of producing non-commercial community, governmental or educational access programming, consistent with the Company's written rules and regulations concerning the use of the mobile production vehicle.

H. The Company shall continue to periodically provide training for individuals and organizations that assist in the production of programming for the access channels provided herein to the extent that such training is offered by the company.

SECTION 15. COMMITMENTS BY THE COMPANY

A. The Company shall continue to provide standard installation and basic cable television service for one (1) outlet at no cost to each school in the City, public and private, elementary, intermediate and secondary, provided the school is within 200 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the school requesting service. Monthly service charges shall be waived on all additional outlets, except for equipment charges.

B. The Company shall continue to provide standard installation and basic cable television service for one (1) outlet at no cost to each police, fire, first aid, emergency management facility, public library, recreation/community center and senior citizens center, provided the facility is within 200 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis shall pay for by any facility requesting service. Monthly service charges shall be waived on all additional outlets, except equipment charges.

C. The Company shall continue to provide free basic Internet service, via high-speed cable modem, to one non-networked personal computer in each school in the City, public and private, elementary, intermediate and secondary, at no charge.

D. The Company shall continue to provide free basic Internet access via high-speed cable modem on one non-networked personal computer in the City's public library, at no charge.

SECTION 16. EMERGENCY USES

A. The Company will comply with the Emergency Alert System ("EAS") rules in accordance with applicable state and federal statutes and regulations.

B. The Company shall in no way be held liable for any injury suffered by the City or any other person, during an emergency, if for any reason the City is unable to make full use of the cable television system as contemplated herein.

C. The City shall use state-approved procedures for such emergency use.

SECTION 17. LIABILITY INSURANCE

The Company shall at all times maintain a comprehensive general liability insurance policy with a single limit amount of \$1,000,000 covering liability for any death, personal injury, property damages or other liability arising out of its construction and operation of the cable television system, and an excess liability (or "umbrella") policy in the amount of \$5,000,000.

SECTION 18. INCORPORATION OF THE APPLICATION

All of the statements and commitments contained in the Application or annexed thereto and incorporated therein, and any amendments thereto except as modified herein are binding upon the Company as terms and conditions of this consent. The Application and other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference provided same do not conflict with applicable State or Federal law.

SECTION 19. COMPETITIVE EQUITY

Should the City grant a franchise to construct, operate and maintain a cable television system to any other person, corporation or entity on terms materially less burdensome or more favorable than the terms contained herein, the Company may substitute such language that is more favorable or less burdensome for the comparable provision of this Ordinance subject to the provisions of N.J.A.C. 14:17-6.7.

SECTION 20. SEPARABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and its validity or unconstitutionality shall not affect the validity of the remaining portions of the Ordinance.

SECTION 21. THIRD PARTY BENEFICIARIES

Nothing in this franchise agreement or in any prior agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of such agreements.

SECTION 22. RESERVATION OF RIGHTS

In accordance with the Federal Cable Act, 47 U.S.C. §521 et seq., the Company reserves all rights with regard to the pass-through of all franchise obligations.

SECTION 23. EFFECTIVE DATE

This Ordinance shall take effect immediately upon issuance of a Renewal Certificate of Approval from the BPU.

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.

Scott Aruta	33-C Parkway Dr., Clark
Jeffrey Freeman	1022 Diantonio Dr.

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

Roll Call for O-8-15:

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.

O-9-15 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 ESTABLISHING MANAGEMENT POSITIONS IN THE CITY OF RAHWAY AND PROVIDING FOR COMPENSATION FOR MANAGEMENT EMPLOYEES OF THE CITY OF RAHWAY, NEW JERSEY AND AMENDING ALL ORDINANCES CONCERNING SUCH COMPENSATION HERETOFORE ADOPTED

IT IS HEREBY ORDAINED by the Municipal Council of the City of Rahway, New Jersey as follows:

The management positions in the City of Rahway set forth in this Ordinance and not otherwise provided for by law are hereby **ORDAINED** and established. (Management positions are defined as those positions not included in any bargaining unit.)

All management employees of the City of Rahway shall be compensated at the rates or within the ranges set forth in this Ordinance and shall perform such duties as may be prescribed by the Director of the Department within which they are employed or as may be provided by law.

All rates and ranges are effective January 1, 2015 unless otherwise indicated.

The appointing authority may hire personnel or such additional personnel as may be required on a part-time or temporary basis, to be compensated within available appropriations at a rate or lesser rate than set forth in this Ordinance.

SECTION I

MANAGEMENT TITLES AND RANGES/RATES

<u>Title</u>	<u>Annual Salary Range</u>	
Director of Administration/Business Administrator	\$105,000	- \$175,000
Director of Police/Police Chief	\$95,000	- \$165,000
Director of Fire/Fire Chief	\$95,000	- \$165,000
Director of Public Works/Superintendent of Public Works	\$95,000	- \$165,000
Director of Revenue & Finance/ Chief Financial Officer	\$95,000	- \$165,000
Director of Health & Senior Services/Health Officer	\$95,000	- \$165,000
Director of Building, Planning & Economic Development/Construction Official	\$95,000	- \$165,000
Director of Recreation & Superintendent of Recreation	\$95,000	- \$165,000
Municipal Court Administrator	\$75,000	- \$125,000
Municipal City Clerk	\$75,000	- \$115,000
Assistant Superintendent of Public Works	\$75,000	- \$115,000
Director of Community Development Programs	\$75,000	- \$115,000
Chief Registered Environmental Health Specialist	\$50,000	- \$85,000
Payroll Supervisor	\$50,000	- \$85,000
Human Resources Coordinator	\$50,000	- \$85,000
Supervisor of Senior Citizen Activities	\$50,000	- \$80,000
Deputy Municipal Clerk	\$50,000	- \$80,000

Accountant	\$50,000	-	\$80,000
Administrative Clerk	\$50,000	-	\$80,000
Coalition Coordinator	\$50,000	-	\$75,000
Tax Collector	\$45,000	-	\$75,000
Supervising Chief Sanitary Inspector	\$45,000	-	\$75,000
Fire Official/Fire Sub-Code Official*	\$45,000	-	\$75,000
Assistant Administrator of Cultural & Heritage Affairs	\$45,000	-	\$75,000
Assistant Municipal Tax Collector/Assistant Municipal Tax Assessor	\$45,000	-	\$70,000
Recreation Supervisor	\$45,000	-	\$70,000
Confidential Secretary	\$45,000	-	\$70,000
Registered Environmental Health Specialist	\$45,000	-	\$65,000
Deputy Municipal Court Administrator	\$45,000	-	\$65,000
Recreation Program Specialist	\$45,000	-	\$65,000
Confidential Assistant	\$40,000	-	\$65,000
Code Enforcement Officer/Zoning Officer	\$40,000	-	\$65,000
Recreation Program Coordinator	\$35,000	-	\$60,000
Community Service Worker	\$35,000	-	\$60,000
Recreation Aide	\$35,000	-	\$60,000
Inspector (e.g. Building, Mechanical, Housing)	\$30,000	-	\$55,000
Sub Code Official (e.g. Electrical, Plumbing)	\$30,000	-	\$55,000
Recreation Leader	\$20,000	-	\$45,000

* The range for Fire Official/Fire Sub-Code Official is subject to applicable local bargaining unit agreement if the employee is a member of the local FMBA or FROA Union

No Range & Hourly

Board Clerks

Planning Board	\$4,000	Annually
Municipal Board of Alcoholic Beverage Control	\$3,000	Annually
Environmental Commission	\$3,800	Annually
Municipal Alliance	\$3,800	Annually
Board of Adjustment	\$4,000	Annually

Elected Officials

Mayor	\$72,000	Annually
President of Municipal Council	\$9,676	Annually
Member of Municipal Council	\$8,043	Annually

Court

Municipal Judge	\$62,424	Annually
Alternate Municipal Judge	\$200-\$300	Per session
Prosecutor	\$53,321	Annually
Alternate Prosecutor	\$100	Per hour
Municipal Court Attendant	\$20	Per hour
Public Defender	\$21,537	Annually
 <u>Other</u>		
Bus Driver	\$10-\$25	Per hour
Security Guard	\$10-\$25	Per hour
Program Instructors	\$20-\$60	Per class
Temporary/Seasonal and/or Part-time Workers	\$8.50-\$40	Per hour

A stipend shall apply to those employees assigned for Emergency Management operations and emergency response.

The range for these positions is for full time employment. Salaries may be adjusted for part time work.

All provisions of this Ordinance are subject to available appropriations and this Ordinance does not and shall not legally bind the City to pay any of the wages or compensations set forth herein unless and until appropriations have been made in sufficient amounts to pay said wages or compensations to those holding the titles and positions set forth herein.

SECTION II

Pursuant to N.J.S.A. 40:69A-43a, the salaries, wages or other compensation paid to any other municipal administrative employees not listed herein may be established by the Mayor in his discretion.

SECTION III

Management employees hired prior to July 1, 1999 shall be paid two percent (2%) of their previous year's base salary as longevity pay for each four (4) years of employment they have completed. Maximum longevity pay is twelve percent (12%).

SECTION IV

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to such inconsistencies.

SECTION V

This ordinance shall take effect upon final passage and publication according to 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.

Brian Remo	681 Hamilton St.
Larry Fishman	1449 Irving St.
Harold Bryant	1941 Wall St.
Scott Caffee	756 W. Scott Ave.
Jeffrey Freeman	1022 Diantonio Dr.
Kenneth Farrell	800 Falesky St.
David Stinson	576 Bryant St.
Barbara Majeski	2126 Church St.
Thomas Tropeano	39 Douglas Dr., Clark
Stan Majeski	2126 Church St.
Lorraine Brzyski	991 Apgar Ter.
Patrick Cassio	1971 Barnett St.
Robert Rachlin	2215 Allen St.
Robert Yanus	2147 Barnett St.

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

Roll Call for O-9-15:

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**

Councilmember Miles: Agreed with Councilmember Mojica. Said that Rahway has many tools to educate the public – Facebook, Web Site, etc. Said he has faith in Samson Steinman to lead the City.

Councilmember Baker: Said that the Mayor’s salary is low compared to private sector pay for a CEO of a \$50 million company. Thanked everyone involved with Hot Rods & Harleys and Rahway Day.

Councilmember Giacobbe: Thanked everyone for attending the meeting. Stated that the public’s passion on the issue of the Mayor’s salary was admirable but he would like to see passion from the public on other issues and urged people to get involved in the City.

Councilmember Farrar: Thanked public for coming out tonight.

Councilmember Wenson Maier: Said she has roots in Rahway and that many municipalities look to Rahway for inspiration. She said she is proud of the City and all actions are taken to move the City forward.

Council President Bresenhan: Encouraged residents to attend the Firefly Run on May 21 at 5:30 p.m. at City Hall, the Memorial Day Parade and that both events kick off an entire summer of family activities.

15. ADJOURNMENT

Motion to adjourn the meeting at 9:23 p.m. was made by Councilmember Giacobbe 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.