

MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
APRIL 13, 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, Cox, Farrar, Giacobbe, Miles, Wenson Maier, Bresenhan

ABSENT: Councilmember Mojica

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 April 13, 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

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|---------------|-----------|------------------------|
| March 3, 2015 | 6:45 p.m. | Special Meeting |
| March 3, 2015 | 7 p.m. | Pre-Meeting Conference |
| March 9, 2015 | 7 p.m. | Regular Meeting |

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

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

4. PRESENTATIONS

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

6. REPORTS OF COUNCIL COMMITTEES

Councilmember Farrar moved to place O-9-15 on the Agenda.

The motion was seconded by Councilmember Wenson Maier.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

Councilmember Brown moved to place AR-94-15 and AR-95-15 on the Agenda and Consent Agenda.

The motion was seconded by Councilmember Cox.

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

ABSENT: Councilmember Mojica

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

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

9. ORDINANCES - First Reading

O-4-15 City Clerk Jotz read AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) – PERMIT PARKING.

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

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

ABSENT: Councilmember Mojica

Council President Bresenhan: 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 Council Meeting on Monday, May 11, 2015 at 7 p.m.

O-5-15 City Clerk Jotz read AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14).

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

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

ABSENT: Councilmember Mojica

Council President Bresenhan: 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 Council Meeting on Monday, May 11, 2015 at 7 p.m.

O-6-15 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 Giacobbe, seconded by Councilmember Farrar and adopted by the following vote:

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

ABSENT: Councilmember Mojica

Council President Bresenhan: 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 Council Meeting on Monday, May 11, 2015 at 7 p.m.

O-7-15 City Clerk Jotz read AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 381 OF THE CODE OF THE CITY OF RAHWAY (TAXICABS).

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

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

ABSENT: Councilmember Mojica

Council President Bresenhan: 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 Council Meeting on Monday, May 11, 2015 at 7 p.m.

O-8-15 City Clerk Jotz read 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.”

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

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

ABSENT: Councilmember Mojica

Council President Bresenhan: 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 Council Meeting on Monday, May 11, 2015 at 7 p.m.

O-9-15 City Clerk Jotz read 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

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

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

ABSENT: Councilmember Mojica

Council President Bresenhan: 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 Council Meeting on Monday, May 11, 2015 at 7 p.m.

10. RESOLUTIONS

- *AR-75-15** Councilmember Farrar presented and moved A RESOLUTION AUTHORIZING THE RETURN OF PERFORMANCE BOND AND FINAL PAYMENT FOR THE “GYMANASIUM FLOOR REPLACEMENT RAHWAY RECREATION CENTER” FOR THE CITY OF RAHWAY TO ADVANTAGE SPORT USA, INC.

The motion was seconded by Councilmember Miles.

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

ABSENT: Councilmember Brown

Council President Bresenhan declared the motion carried.

- *AR-76-15** Councilmember Miles presented and moved A RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BOND AND FINAL PAYMENT FOR THE “2010 ROADWAY RESURFACING PROJECT” TO AMC INDUSTRIES, LLC.

The motion was seconded by Councilmember Cox.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

- *AR-77-15** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BOND POSTED BY KLT REAL ESTATE HOLDINGS, LLC, 2005 ST. GEORGES AVENUE, BLOCK 213, LOT 7.

The motion was seconded by Councilmember Giacobbe.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

- *AR-78-15** Councilmember Cox presented and moved A RESOLUTION AUTHORIZING THE RETURN OF RIGHT OF WAY CONSTRUCTION PERMIT FEES FOR 364 ELM AVENUE, BLOCK 146, LOT 23 TO ARIEL BADILLO FOR PERMIT #12-14-962 DATED 12/8/2014.

The motion was seconded by Councilmember Baker.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

- *AR-79-15** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING REFUND OF POLICE ESCROW FEES.

The motion was seconded by Councilmember Cox.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

- *AR-80-15** Councilmember Baker presented and moved A RESOLUTION AUTHORIZING REFUND OF PARKS & RECREATION FEES.

The motion was seconded by Councilmember Miles.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

- *AR-81-15** Councilmember Giacobbe presented and moved A RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES.

The motion was seconded by Councilmember Farrar.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

***AR-82-15** Councilmember Miles presented and moved A RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF DISABLED VETERAN DEDUCTION.

The motion was seconded by Councilmember Baker.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

***AR-83-15** Councilmember Giacobbe presented and moved A RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF WATER BILLS.

The motion was seconded by Councilmember Brown.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

***AR-84-15** Councilmember Farrar 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 Cox.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

***AR-85-15** 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 JANUARY 1, 2015 TO DECEMBER 31, 2015.

The motion was seconded by Councilmember Miles.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

***AR-86-15** Councilmember Baker presented and moved A RESOLUTION AWARDED THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED "2014 ROADWAY RESURFACING PROJECT" FOR THE CITY OF RAHWAY TO STILO EXCAVATION, INC..

The motion was seconded by Councilmember Giacobbe.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

***AR-87-15** Councilmember Miles 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 Farrar.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

***AR-88-15** Councilmember Farrar presented and moved A RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO VISITING NURSE & HEALTH SERVICES, INC., "D/B/A" HOLY REDEEMER HOME CARE - NJ, NORTH TO PROVIDE HEALTH EDUCATION SERVICES.

The motion was seconded by Councilmember Baker.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

***AR-89-15** Councilmember Miles presented and moved A RESOLUTION AWARING A SERVICE CONTRACT FOR CUTTING AND CONTROL OF VEGETATION ON THE RAHWAY FLOOD CONTROL LEVEE, BETWEEN MONROE STREET AND REGINA AVENUE.

The motion was seconded by Councilmember Giacobbe.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

***AR-90-15** Council President Bresenhan presented and moved A RESOLUTION REAPPOINTING A MEMBER TO THE RAHWAY PARKING AUTHORITY (ARMONDO SANCHEZ).

The motion was seconded by Councilmember Miles.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

- *AR-91-15** Councilmember Cox presented and moved A RESOLUTION AWARDDING THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED "DEMOLITION OF 194 WEST GRAND AVENUE" FOR THE CITY OF RAHWAY TO YANUZZI GROUP, INC..

The motion was seconded by Councilmember Farrar.

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

ABSENT: Councilmember Mojica

- *AR-92-15** Councilmember Brown presented and moved A RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO TRENK, DIPASQUALE, DELLA FERA & SODONO, P.C. TO PROVIDE CERTAIN LEGAL SERVICES TO THE CITY OF RAHWAY POLICE DEPARTMENT.

The motion was seconded by Councilmember Giacobbe.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

- *AR-93-15** Councilmember Cox presented and moved A RESOLUTION OF THE CITY OF RAHWAY AWARDDING A CONTRACT FOR WATER TREATMENT PLANT FILTER SYSTEM IMPROVEMENTS TO TOMAR CONSTRUCTION LLC.

The motion was seconded by Councilmember Farrar.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

- *AR-94-15** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING THE REFUND OF BUILDING FEES TO THE MERCHANTS & DROVERS TAVERN MUSEUM ASSOCIATION.

The motion was seconded by Councilmember Cox.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

- *AR-95-15** Councilmember Brown presented and moved A RESOLUTION INTRODUCING THE CY 2015 MUNICIPAL BUDGET.

The motion was seconded by Councilmember Cox.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.

11. ORDINANCES – SECOND READING

***12. MISCELLANEOUS**

13. COMMUNICATIONS - Hearing of Citizens

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

14. COUNCIL COMMENT

Councilmember Cox: Invited everyone to attend Hot Rods & Harleys on May 9 from 11 a.m.-6 p.m. downtown with a rain date of May 16.

Councilmember Miles: Said that the Friends of the Rahway Public Library will be holding their annual book sale starting on Wednesday, April 15 and that it will continue this coming weekend.

Council President Bresenhan: Encouraged residents to attend Taste of Spring on April 17 from 5:30-9 p.m. at the Recreation Center, the Health & Green Fair at the Recreation Center on April 19 from 10 a.m.-2 p.m. and the Senior Prom on April 24 at the Recreation Center.

15. ADJOURNMENT

Motion to adjourn the meeting at 7:18 p.m. was made by Councilmember Wenson Maier and seconded by Councilmember Giacobbe.

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

ABSENT: Councilmember Mojica

Council President Bresenhan declared the motion carried.