



CITY OF RAHWAY, NEW JERSEY
MUNICIPAL COUNCIL
REGULAR MEETING AGENDA
May 9, 2022, 7 p.m.

*"Each person addressing the Council shall first give their name and address to the Clerk.
All remarks shall be addressed to the Council as a body and not to any member thereof and, shall not exceed five (5) minutes in duration."
(Chapter 5-63 (C) Rules of Order No. 3)*

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE and INVOCATION

3. OPEN PUBLIC MEETING STATEMENT:

Notice of this meeting has been sent to the official newspapers and adequate and electronic notice has been provided in accordance with the Open Public Meetings Act as required by law.

4. MINUTES

April 5, 2022 Pre-Meeting Conference
April 11, 2022 Regular Meeting

5. PRESENTATIONS

Oath Of Office of Fire Captain Andrew Shumway
Oath of Office to Police Officers Nicolas Freeman, Sean Simpson & Jeremy Vargas

6. COMMUNICATIONS: MAYOR, REPORTS OF CITY OFFICERS AND BILL PAYMENT

7. REPORTS OF COUNCIL COMMITTEES

8. HEARING OF CITIZENS: ITEMS ON AGENDA

Except ordinances on Second Reading (five minutes per speaker)

9. ORDINANCES – FIRST READING

O-18-22 AN ORDINANCE AMENDING CHAPTER 344 "SIDEWALK CAFES"
(Brooks, Mojica)

O-19-22 AN ORDINANCE AMENDING ARTICLE V FOOD VEHICLES IN CHAPTER
311 PEDDLING, SOLICITING AND VENDING OF THE CITY OF RAHWAY
(Newbury, Brown)

10. CONSENT AGENDA

Consent Agenda defined: All items listed with an asterisk (*) are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council Member requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda.

11. RESOLUTIONS

Department of Administration

- *AR-93-22** RESOLUTION DESIGNATING AN AUTHORIZED REPRESENTATIVE TO EXECUTE ALL NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION TREATMENT WORKS APPROVAL PERMIT AND BUREAU OF WATER SYSTEM ENGINEERING PERMIT APPLICATION ENDORSEMENT, AS REQUIRED (Miles, Council)
- *AR-94-22** RESOLUTION AUTHORIZING A LABOR CONTRACT WITH THE RAHWAY SCHOOL TRAFFIC GUARDS ASSOCIATION (RSTGA) FOR THE PERIOD JULY 1, 2021 THROUGH AUGUST 31, 2024 (Newbury, Mojica)
- *AR-95-22** RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF CHAPTERS 365-1 THROUGH 365-3 (SIDEWALK ENCUMBRANCES) OF THE CODE OF THE CITY OF RAHWAY (BROTHERS & SISTERS OF THE COMMUNITY) (Brown, Gibilisco)
- *AR-96-22** RESOLUTION TO AWARD A CONTRACT TO JOHNSON PR EVENTS FOR SOCIAL JUSTICE COMMITTEE CONSULTING SERVICES IN THE CITY OF RAHWAY (Newbury, Mojica)

Department of Engineering

- *AR-97-22** A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND AND FINAL PAYMENT & ACCEPTANCE OF A MAINTENANCE BOND TO S. BROTHERS INC. FOR NJDOT FY2020 ROAD RESURFACING PROJECT (Farrar, Parson)
- *AR-98-22** A RESOLUTION AWARDDING THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED "FY2022 ANNUAL ROADWAY RESURFACING PROJECT" (Parson, Gibilisco)

Department of Revenue & Finance

- *AR-99-22** RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATE FOR A 2021 TAX LIEN (Brooks, Newbury)
- *AR-100-22** RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENTS OF TAXES FOR THE CY 2022 (Newbury, Farrar)

12. ORDINANCES – FINAL ADOPTION / SECOND READING

13. MISCELLANEOUS (Unfinished Business)

*Block Party – May 19, 2022 (Lafayette St./C. Perna) | Newbury, Farrar

*Block Party – May 20, 2022 (School St./Franklin School PTA) | Farrar, Brown

*Block Party – May 29, 2022 (Oliver Street/ S Edwards) | Mojica, Parson

14. COMMUNICATIONS: HEARING OF CITIZENS ON ANY ITEM

(Five minutes per speaker)

15. COUNCIL COMMENTS

(Three minutes per member)

16. ADJOURNMENT

ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-18-22

AN ORDINANCE AMENDING CHAPTER 344 "SIDEWALK CAFES"

WHEREAS, Chapter 344 Sidewalk Cafes establishes the requirements for the existence and operation of an Outdoor Sidewalk Café within the City of Rahway;

WHEREAS, the City of Rahway is amending Chapter 344 Sidewalk Cafes in response to current market trends as it pertains to outdoor sidewalk cafes and in light of recently revised zoning;

WHEREAS, the amendments generally consist of expansion of the applicable zones, extension of the season by moving up the start date and a one (1) foot decrease of the required pedestrian passageway to allow for larger seating areas as further detailed in latter sections of this ordinance.

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

All new language is depicted in **bold and underlined** and deletions are depicted in ~~strikethrough~~.

Section 1. Section 344-1 Definitions; application; layout plan, paragraph A. of Chapter 344 Sidewalk cafes, shall be amended to modify the following definition:

PERMITTED ZONE – The CBD Redevelopment Area; B-1 Neighborhood Business Zone; B-4 Service Business Zone; **the Arts District Redevelopment Area** and ~~B-5 Central Business Zone~~ **the West Grand Overlay**; all as defined in Chapter ~~495~~ **421** of the Code of the City of Rahway; entitled "Zoning," and all as shown on the Zoning Map of the City of Rahway.

Section 2. Section 344-6 Term of license; renewals within Chapter 344 Sidewalk cafes shall be amended to read as follows:

§ 344-6 Term of license; renewals.

The season for outdoor sidewalk cafes shall run from ~~May 1~~ **April 1** to November 1. All outdoor sidewalk café licenses shall be issued annually commencing January 1 of the particular year. License may be renewed annually by the filing of an application in accordance with the provisions of this chapter.

Section 3. Section 344-7 Rules, regulations and specifications, paragraph C. within Chapter 344 Sidewalk cafes shall be amended to read as follows:

C. No furniture, apparatus, decoration or appurtenance used in connection with the operation of the outdoor sidewalk café shall be located in such a way that less than ~~five~~ **four** feet of paved **unobstructed** sidewalk remains for the exclusive use of pedestrians (the required pedestrian passageway), nor shall any such furniture apparatus, decoration or appurtenance project protrude into, on or above the required pedestrian passageway. **Required unobstructed sidewalks may not contain barriers, trees, grass areas, signs, utility poles or similar.**

ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-19-22

AN ORDINANCE AMENDING ARTICLE V FOOD VEHICLES IN CHAPTER 311 PEDDLING, SOLICITING AND VENDING 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:

All new language is depicted in **bold and underlined** and deletions are depicted in ~~strikethrough~~.

Section 1. Paragraph D in Section 311-37 Operational Regulations and Restrictions in Chapter 311 Article III shall be amended to read as follows:

- D. Nothing in this chapter shall limit the City from hiring food vehicles for special events. The City, at its own discretion, may determine the number of food vehicles, the allowed hours of operation, **may reduce associated fees**, and may utilize public property, public recreation facilities, streets and/or sidewalks for such events.

Section 3. All Ordinances or parts of Ordinances inconsistent herewith are repealed.

Section 4. 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 5. This ordinance shall become effective after second reading and publications as required by law.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-93-22

**RESOLUTION DESIGNATING AN AUTHORIZED REPRESENTATIVE TO
EXECUTE ALL NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
TREATMENT WORKS APPROVAL PERMIT AND BUREAU OF WATER SYSTEM
ENGINEERING PERMIT APPLICATION ENDORSEMENT, AS REQUIRED**

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that Mayor Raymond A. Giacobbe and/or Business Administrator, Jacqueline Foushee, and City Engineer, Daniel Lee, are hereby designated as the authorized representatives to execute all New Jersey Department of Environmental Protection Treatment Works Approval Permit Bureau of Water System Engineering Permit Application Endorsements, as required.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-94-22

RESOLUTION AUTHORIZING A LABOR CONTRACT WITH THE RAHWAY SCHOOL TRAFFIC GUARDS ASSOCIATION (RSTGA) FOR THE PERIOD JULY 1, 2021 THROUGH AUGUST 31, 2024

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union and State of New Jersey that the Mayor or designee and City Clerk are hereby authorized to execute a labor contract with the Rahway School Traffic Guards Association (RSTGA) for the period July 1, 2021 through August 31, 2024 as per the following terms and conditions:

ARTICLE 3 - "WAGES & WORK YEAR"

Wages paid to employees shall be at an annual rate of pay (annual salary) for a work year commencing on September 1 of each year and ending on August 31 of the succeeding year. It is understood that employees shall work during those days that school is in session.

ARTICLE 11 - "CLOTHING"

All employees who have completed one full work year shall be entitled to receive a \$325.00 annual stipend for the purchase and maintenance of their required clothing.

ARTICLE 13 - "RATES OF PAY"

STEPS	<u>7/1/2020</u>	<u>7/1/2021</u>	<u>7/1/2022</u>	<u>7/1/2023</u>
FIRST YEAR	9,207	9,391	9,579	9,771
AFTER ONE YEAR	10,111	10,313	10,519	10,730
AFTER 2 YEARS	11,018	11,238	11,463	11,692
FIRST GRADE GUARD	11,924	12,162	12,406	12,654

Effective on and retroactive to July 1, 2021, all RSTGA employees will receive a two percent (2%) increase over their previous annual base salary. A lump sum representing retroactive payments back to July 1, 2021, will be issued to each RSTGA employee after ratification of the herein MOA.

ARTICLE 16 - "DURATION"

This agreement shall remain in full force and effect through August 31, 2024.

Unless specifically addressed and referenced herein, all other terms and conditions of employment of the labor contract which expired on June 30, 2021, remain the same. Additionally, all proposals by either the City of Rahway or RSTGA not specifically referenced herein are considered withdrawn.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-95-22

RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF CHAPTERS 365-1 THROUGH 365-3 (SIDEWALK ENCUMBRANCES) OF THE CODE OF THE CITY OF RAHWAY (BROTHERS & SISTERS OF THE COMMUNITY)

WHEREAS, on Saturday, May 28, Brothers and Sisters of the Community will be hosting a reunion in Rahway; and

WHEREAS, it has been requested that provisions of Chapters 365-1 through 365-3 of the Code of the City of Rahway be temporarily suspended and certain streets in the downtown area be closed.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, that it hereby authorizes that the provisions of Chapters 365-1 through 365-3 (Sidewalk Encumbrances) are suspended between the hours of 5 – 11 p.m. on East Cherry Street between the Monroe Street Extension and Irving Street.

BE IT FURTHER RESOLVED that closure of the section of East Cherry Street listed above has already been authorized by the adoption of Ordinance O-20-20 on August 10, 2020.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-96-22

Date of Adoption: _____

RESOLUTION TO AWARD A CONTRACT TO JOHNSON PR EVENTS FOR SOCIAL JUSTICE COMMITTEE CONSULTING SERVICES IN THE CITY OF RAHWAY

WHEREAS, the City of Rahway requires consulting services for the Social Justice Commission; and

WHEREAS, the City of Rahway and Johnson PR Events wish to enter into an agreement to provide consulting services to the City of Rahway for the Social Justice Commission for a period commencing April 1, 2022 and terminating July 1, 2022; and

WHEREAS, under the agreement, the Johnson PR Events will receive an amount not to exceed of \$17,400 from the City of Rahway during the duration of this contract; and

WHEREAS, the City's Social Justice Commission recommends the acceptance of the agreement for consulting services.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, that it hereby approves the City of Rahway of entering into an agreement with Johnson PR Events for the period of April 1, 2022 through July 1, 2022 for an amount not to exceed \$14,167.00.

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated sufficient funds within the Current Fund – Account 01-201-20-160-028 to cover the cost of this contract.

This certification is required on all contracts as per regulations of the Director of Local Government Services.

City of Rahway
Department of Revenue & Finance

May 9, 2022

Hon. Raymond Giacobbe, Jr., Mayor
Members of the Municipal Council
City of Rahway
One City Hall Plaza
Rahway, New Jersey 07065

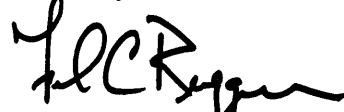
Re: RESOLUTION TO AWARD A CONTRACT TO JOHNSON PR EVENTS FOR
SOCIAL JUSTICE COMMITTEE CONSULTING SERVICES IN THE CITY OF
RAHWAY

Dear Mayor and Council Members:

Please be advised that there are legally appropriated sufficient funds within the Current Fund-Account 01-201-20-160-028 to cover the cost of this contract.

This certification is required on all contracts as per regulations of the Director of Local Government Services.

Sincerely,



Frank C. Ruggiero
Chief Financial Officer

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-97-22

A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND AND FINAL PAYMENT & ACCEPTANCE OF A MAINTENANCE BOND TO S. BROTHERS INC. FOR NJDOT FY2020 ROAD RESURFACING PROJECT

WHEREAS, Colliers Engineering & Design has conducted a review toward the request from S. Brothers Inc. to release their original paper Performance Bond #015211641 and Final Payment; and

WHEREAS, the Applicant is required to post a Maintenance Bond #015211641(M) in the amount of \$596,331.21 for the work associated with the NJDOT FY2020 Road Resurfacing Project; and

WHEREAS, the Applicant is requesting the release of performance bond amount of \$515,331.35 and final payment in the amount of \$93,253.09 as listed in their April 19, 2022 letter; and

WHEREAS, Colliers Engineering & Design recommends release of performance bond amount of \$515,331.35 and paper bond number #015211641 and final payment and thereby accepting a paper Maintenance Bond #015211641(M) in the amount of \$596,331.21.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, that as follows:

1. The Treasurer is authorized and directed to return the paper Performance Bond #015211641 in the amount of \$515,331.35 for NJDOT FY 2020 Road Resurfacing Project and final payment in the amount of \$93,253.09; and
2. Paper bond in the amount of \$515,331.35 and final payment is authorized to be released to S. Brothers Inc, PO Box 317 South River, NJ 08882; and
3. The Municipal Council of the City of Rahway accepts paper Maintenance Bond #015211641(M) in the amount of \$596,331.21

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-98-22

A RESOLUTION AWARDING THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED “FY2022 ANNUAL ROADWAY RESURFACING PROJECT”

WHEREAS, bids were advertised April 25, 2022, solicited and received on May 5, 2022 in the manner provided by law; and

WHEREAS, there were [] (##) bids received with the low bidder for the project being [LOW BIDDER COMPANY NAME]; and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, county of Union, State of New Jersey, that the following bid is hereby found and determined, as per the specifications, that [LOW BIDDER COMPANY NAME AND ADDRESS] has bid the lowest price and is the lowest responsible bidder, and a contract is hereby awarded to [LOW BIDDER COMPANY NAME] consisting of the following bid breakdown:

Base Bid:	\$ [BASED BID AMOUNT]
Alternate Bid ‘A’:	\$ [ALTERNATE BID AMOUNT]
Total Bid:	\$ [TOTAL BID AMOUNT]

BE IT FURTHER RESOLVED that the following bid be and is hereby accepted:

BID OF:	[LOW BIDDER COMPANY NAME] [LOW BIDDER COMPANY STREET ADDRESS] [LOW BIDDER CITY, STATE, ZIP]
FOR:	FY2022 ANNUAL ROADWAY RESURFACING PROJECT
AMOUNT:	\$ [BID AMOUNT]

The Chief Financial Officer of City of Rahway certifies that there are legally appropriated sufficient funds within the General Capital Fund –Ordinance O-4-21 to cover the cost of this contract.

City of Rahway
Department of Revenue & Finance

May 9, 2022

Honorable Raymond A. Giacobbe, Mayor
Members of the Municipal Council
City of Rahway
One City Hall Plaza
Rahway, NJ 07065


Re: A RESOLUTION AWARDED THE ACCEPTANCE OF BID FOR THE PROJECT
ENTITLED "FY2022 ANNUAL ROADWAY RESURFACING PROJECT"

Dear Mayor and Council Members:

Please be advised that there are legally appropriated sufficient funds within the General Capital Fund – Ordinance O-4-21, to cover the cost of this contract.

This certification is required on all contracts as per regulations of the Director of Local Government Services.

Sincerely,



Frank C. Ruggiero
Chief Financial Officer

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-99-22

RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATE FOR A 2021 TAX LIEN

WHEREAS, the City of Rahway held a Tax Lien Sale on December 03, 2021 for unpaid Calendar Year Taxes and Municipal Charges, and various Tax Sale Certificates were struck off and sold to the following Lien Holders, on the following Block and Lots; and

WHEREAS, the owners of said properties has paid all money due to the Tax Collector for the Redemption of said Tax Sale Certificates.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, that the Chief Financial Officer is hereby authorized and directed to make refunds in the following names and amounts.

2021 Tax Liens

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
324 24	1637 Essex Street	US Bank Cust/Actlien Holding Inc. 50 South 16 th Street Ste 2050 Philadelphia PA 19102	\$8,237.44	\$36,600
Certificate 2021-0024				

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-100-22

RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENTS OF TAXES FOR THE CY 2022

WHEREAS, it has been found that the following CY 2022 taxes have been overpaid in error;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, that the Chief Financial Officer is hereby authorized and directed to refund said overpayments in the following names and amounts.

2022 CALENDAR YEAR TAXES

<u>BLOCK</u>	<u>LOT</u>	<u>OWNERS NAME</u>	<u>PROPERTY ADDRESS</u>	<u>REFUND</u>
127	17	Andrzej & Bogumila Madej 858 Richard Blvd Rahway NJ 07065	858 Richard Blvd	\$893.68
190	46	Shao Lin 1213 Madison Hill Rd Rahway NJ 07065	1213 Madison Hill Rd	\$1,050.00
141	14	Elwood Hicks 445 Maple Ave Rahway NJ 07065	445 Maple Ave	\$752.03