

MINUTES
PRE-MEETING CONFERENCE
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
MAY 7, 2019 ~ 7:00 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)*

**All items with an asterisk are not conducted at the pre-meeting conference*

Council President Farrar called the meeting to order at 7:06 p.m. and read the Roll Call.

ROLL CALL

PRESENT: Councilmembers Baker, Bresenhan, Brown, Cox,
 Gibilisco, Miles, Mojica, Farrar

ABSENT: Councilmember Wenson Maier

OPEN PUBLIC MEETING STATEMENT:

City Clerk Rayna E. Harris announced the meeting had been advertised and posted in accordance with the Open Public Meetings Act of the State of New Jersey.

This Meeting was called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was sent to the Union County Local Source, Home News Tribune, and the Star Ledger. In addition, copies of notice were posted on the bulletin board in the Municipal Building and filed in the Office of the City Clerk. Notices on the bulletin board have remained continuously posted. Proper notice having been given; the City Clerk is directed to include this statement in the minutes of this meeting.

PLEDGE OF ALLEGIANCE and INVOCATION

Council President Farrar led the Pledge of Allegiance.

Councilman David Brown offered the invocation.

PRESENTATION

Jacqueline Foushee, Director of the Department of Community Development gave a brief presentation to the Governing Body on the proposed animal control services contract.

The Councilmembers posed various questions.

Director Foushee recommended award to Associated Humane Society Inc.

REVIEW OF AGENDA ITEMS

The members of Council discussed all the items to be placed on the Agenda and voted on at the Regular Meeting of May 13, 2019. Council President Farrar gave the mover and second for each of the resolutions listed below.

a. **Proclamations**

1. 50th Anniversary of Municipal Clerks Week
2. National Gun Violence Awareness Day

b. **Ordinances – Introduction/First Reading**

1. Calendar Year 2019 Ordinance to Exceed the Municipal Budget Appropriation Limits and to

Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)

c. Resolutions by Department

1. Department of Administration

- i. Resolution authorizing the City of Rahway to enter into a cooperative pricing agreement with the National Cooperative Purchasing Alliance
- ii. Resolution approving a professional services contract to Timothy Haahs & Associates, Inc. for parking engineering services
- iii. Resolution authorizing the City of Rahway to purchase twenty-five (25) StradaPAL Rapide on street parking meters and back-office software management system

2. Department of Revenue and Finance

- i. Resolution Authorizing the Introduction of the CY 2019 Municipal Budget
- ii. Resolution authorizing the refund of money due to the redemption of tax sale certificates for 2010, 2017 & 2018 tax liens
- iii. Resolution authorizing the refund of overpayment of taxes for the CY 2018
- iv. Resolution authorizing the refund of overpayment of taxes for the CY 2019

3. Department of Community Development

- i. Resolution awarding a contract to Associated Humane Society Inc. for animal control services in the City of Rahway
- ii. Resolution Authorizing the release of right of way construction bond fee to Konrad Wnek for permit #10-16-106 dated 10/11/2016 for a road opening at 577 West Lake Avenue, Block 111, Lot 4.02
- iii. Resolution authorizing the award of contract to Tilcon New York, Inc. for co-op roadway resurfacing for 2019
- iv. Resolution authorizing the award of contract to Micro-Pave Systems, Inc. for co-op crack sealing services for 2019
- v. Resolution authorizing the release of right of way construction bond fee to the applicable party for 2016 and 2017 right of way construction permits

4. Department of Police

- i. Resolution approving the purchase and installation of a wireless mesh network and associated security camera system within the downtown area from Johnston Communications
- ii. Resolution authorizing the sale of abandoned motor vehicle by the Police Department in accordance with N.J.S.A. 39:10A-1

5. Office of the City Clerk

- i. Resolution Approving the Reappointment of the City Clerk
- ii. Resolution Dedicating Columbus Place as Shirley J. Palmer Way
- iii. Resolution authorizing the acceptance of the Union County 2019 Infrastructure and Municipal Aid Grant Program and agreement
- iv. Resolution authorizing the City to renew the Memorandum of Understanding between the County of Union and City of Rahway for First Alert System through October 31, 2023

COMMUNICATIONS FROM MAYOR, REPORTS OF CITY OFFICERS AND LIST OF PAYMENT OF BILLS

The Members of Council accepted the reports and list of payment of bills.

REPORTS OF COUNCIL COMMITTEES

No items were offered.

ORDINANCES – FINAL ADOPTION/SECOND READING

O-07-19	AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING (Farrar / Mojica)
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<p>Date of Introduced: <u>April 8, 2019</u> Motion: Farrar Second: Mojica</p> <p>YES: Councilmembers Baker, Bresenhan, Gibilisco, Miles, Mojica, Wenson Maier, Farrar, and Brown</p> <p>NO: None</p> <p>ABSENT: Councilmember Cox</p> <p>Date of Public Hearing: <u>May 13, 2019</u></p> <p>Date of Adoption: <u>May 13, 2019</u> Motion: Farrar Second: Mojica</p> <p>YES: Councilmembers Baker, Bresenhan, Cox Gibilisco, Miles, Mojica, Farrar, and Brown</p> <p>NO: None</p> <p>ABSENT: Councilmember Wenson Maier</p>
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ADOPTED ORDINANCE CITY OF RAHWAY, NEW JERSEY

No. O-07-19

AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING

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 401: Vehicles and Traffic, § 401-79 Schedule XXI: Handicapped Parking

Add:

In front of 277 Lafayette Street
South Side - beginning at a point 110 feet East of the intersection of Lawrence St. extending to a point 22 feet East thereof.

Section 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed.

Section 3. 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 4. This Ordinance shall become effective after second reading and publication as required by law.

<p>O-08-19</p>	<p>AN ORDINANCE AMENDING THE CITY OF RAHWAY CODE CHAPTER 273 LIMOUSINES (Brown/Bresenhan)</p> <p>Date of Introduced: <u>April 8, 2019</u> Motion: Brown Second: Bresenhan</p>
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<p>YES: Councilmembers Baker, Bresenhan, Gibilisco, Miles, Mojica, Wenson Maier, Farrar, and Brown</p> <p>NO: None</p> <p>ABSENT: Councilmember Cox</p> <p>Date of Public Hearing: <u>May 13, 2019</u></p> <p>Date of Adoption: <u>May 13, 2019</u></p> <p>Motion: Brown Second: Bresenhan</p> <p>YES: Councilmembers Baker, Bresenhan, Cox Gibilisco, Miles, Mojica, Farrar, and Brown</p> <p>NO: None</p> <p>ABSENT: Councilmember Wenson Maier</p>

ADOPTED ORDINANCE CITY OF RAHWAY, NEW JERSEY

No. O-08-19

AN ORDINANCE AMENDING THE CITY OF RAHWAY CODE CHAPTER 273 LIMOUSINES

WHEREAS, the City of Rahway wishes to amend the current Limousines Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rahway, County of Union, State of New Jersey that the current language for Chapter 273-1 through -7 shall be deleted in its entirety and replaced with the additions noted by underline below:

Section One:

§ 273-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

CRUISING

The practice of driving about the streets of the City with a limousine so as to solicit passengers or to bring the presence of the limousine to the attention of prospective passengers. It shall be shall be prima facie evidence of cruising if a limousine drives along the streets of this City for any purpose other than (1) transporting a passenger to a definite destination by using the most direct route, (2) responding to a call for a limousine by a prospective passenger, or (3) returning by the most direct route to the limousine's home, terminus, or hack stand after discharging a passenger or going to or from the said terminus or hack stand to the driver's home by the most direct route.

DRIVER

Any person who drives a limousine within the City.

LICENSE

The license to operate issued by the City Clerk in accordance with this chapter and N.J.S.A. 48:16-17.

LICENSING OFFICIAL

The City Clerk or other official as the City Clerk may designate.

LIMOUSINE

Includes any automobile or motor car used in the business of carrying passengers for hire to provide prearranged passenger transportation at a premium fare on a dedicated, nonscheduled, charter basis that is not conducted on a regular route and with a seating capacity of not more than 14 passengers, not including the driver, provided that such a vehicle is certified by the manufacturer of the original vehicle and the second-stage manufacturer, if applicable, to conform to all applicable Federal Motor Vehicle Safety Standards promulgated by the United States Department of Transportation pursuant to 49 CFR Part 571 (49 CFR 571.1 et seq.) and 49 CFR Part 567 (49 CFR 567.1 et seq.). In addition, a vehicle emission control information label, which contains the name and trademark of the manufacturer and an unconditional statement of compliance with the emission requirements of the Environmental Protection Agency, shall be present on the vehicle. Nothing in this article contained shall be construed to include taxicabs, hotel buses, buses employed solely in transporting school children or teachers, vehicles owned and operated directly or indirectly by businesses engaged in the practice of mortuary science when those vehicles are used exclusively for providing transportation related to the provision of funeral services, autobuses which are subject to the jurisdiction of the Department of Transportation, or interstate autobuses required by the federal or state law or regulations of the Department of Transportation to carry insurance against loss from liability imposed by law on account of bodily injury or death.

LIMOUSINE SERVICE or LIVERY SERVICE

Includes the business of carrying passengers for hire by limousines.

OPERATION

Transporting for hire in such limousine one or more persons, from a point within or without the City to any other point within the City or from within the City to a point outside of the City limits. The operation of a limousine in either of the above-described manners by one other than the owner shall be deemed operation by the owner thereof as well as by the person actually driving the same. The transportation of any person other than the owner or driver in any motor vehicle bearing a sign therein or thereon using the words "limo", "limousine", or "livery service" shall be prima facie evidence of operation.

OWNER

Any person, corporation, or association in whose name title to any limousine is registered with the New Jersey Department of Motor Vehicles or who appears in such records to be the conditional vendee or lessee thereof, and who maintains its principal office for such limousine service within the City of Rahway and who maintains continuous telephone accommodations where s/he or his/her agent can be readily reached.

PERSON

Includes any individual, co-partnership, association, corporation or joint stock company, their lessees, trustees or receivers appointed by any court whatsoever.

PRINCIPAL PLACE OF BUSINESS

In reference to a municipality, the location of the main place of business of the limousine service in the municipality where the limousine service is conducted, where limousines are dispatched, or where limousine drivers report for duty.

STREET

Includes any street, avenue, park, parkway, highway or other public place.

§ 273-2. Certificate of compliance.

A. The City Clerk shall issue a certificate of compliance to the owner who has fulfilled the terms and provisions of this chapter.

B. Nothing in this chapter shall preclude full compliance with the laws of the State of New Jersey, including N.J.S.A. 48:16-13 et seq.

C. Each applicant for a certificate of compliance shall also be responsible for registering each vehicle with the Director of the Division of Motor Vehicles as set forth in N.J.S.A. 39:3-19.

§ 273-3. License application; bill of sale; vehicle registration.

A. Each person applying for a certificate of compliance shall fully complete the limousine license application form available at the City Clerk's Office.

B. A copy of the bill of sale for each limousine to be operated on the streets of Rahway shall be filed with the application for a certificate of compliance.

C. A copy of the vehicle registration shall be provided to the City Clerk within 48 hours of the vehicle's registration with the Division of Motor Vehicles.

§ 273-4. Insurance.

No limousine service whose principal place of business is in the City of Rahway shall be operated wholly or partly along any street in the City of Rahway until the owner of the limousine or limousine service shall have filed with the City Clerk an insurance policy of a company duly licensed to transact business under the insurance laws of this state in the sum of \$1,500,000 insuring against loss by reason of the liability imposed by law upon every limousine owner for damages on account of bodily injury or death suffered by any person as the result of an accident occurring by reason of the ownership, maintenance or use of the limousine upon any public street.

§ 273-5. Power of attorney.

The owner of the limousine shall, concurrently with the filing of the insurance policy described above, submit to the City Clerk proof of the execution and delivery to the Division of Motor Vehicles (or Motor Vehicle Commissioner, as appropriate) of a power of attorney, wherein and whereby the owner shall appoint the Director of the Division of Motor Vehicles (or the Chief Administrator of the Motor Vehicle Commission, as appropriate) his true and lawful attorney for the purpose of acknowledging service of any

process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy filed.

§ 273-6. License to operate service & fees.

- A. The City Clerk of the City of Rahway, upon the applicant's filing of the insurance policy required by N.J.S.A. 48:16-14 and the payment of a fee in the amount of fifty (\$50.00) dollars, shall issue in duplicate a license to operate showing that the owner of the limousine has complied with the terms and provisions of N.J.S.A. 48:16-13 et seq.
- B. Said license shall recite the name of the insurance company, the number and date of expiration of the policy, a description of every limousine insured thereunder, and the registration of same.
- C. The duplicate license shall be filed with the Motor Vehicle Commission before any such car is registered as a limousine.
- D. The original license shall be retained within the limousine and shall be available for inspection by any police officer in the State. In lieu of the recital of insurance information required on the license pursuant to this subsection, the owner of a limousine may affix to the original license retained within the limousine a notarized letter from an insurance company containing the same insurance information required in the recital, which shall constitute proof of insurance coverage, in which shall also be available for inspection by any police officer in the State. A copy of the notarized letter shall constitute proof to the Director of the Motor Vehicle Commission that the applicant has complied with the insurance provisions required by law.
- E. Any such insurance policy shall provide therein that a Notice of Cancellation thereof must be provided to the City of Rahway no later than thirty (30) days prior to such cancellation.
- F. Additional Fee. Pursuant to N.J.S.A. 16-17, the City Clerk of the City of Rahway shall, with limousine services having their principal place of business in the City of Rahway, upon filing of the required insurance policy, charge ten (\$10.00) dollars for each limousine which is covered under the required insurance policy in addition to the fifty (\$50.00) dollar fee for each limousine service.

§ 273-7. Transfer of license.

No license issued under this chapter shall be transferable or assignable.

§ 273-8. Smoking in vehicles prohibited.

The smoking of tobacco shall not be permitted in any limousine licensed by the City during the operation of such vehicles. The prohibition shall be conspicuously posted in each vehicle for hire.

§ 273-9. Parking of Limousines.

The parking of limousines shall comply with the parking and garage requirements as set forth in § 421-31. Regulation applying to all residential zones.

§ 273-10. Revocation or suspension of license.

A. The licensing official shall have the power to suspend or revoke an operating license under any of the following provisions:

(1) The licensing official may revoke any license of either class if the applicant for the license has been once convicted of a crime in this or any other jurisdiction, or convicted of being a disorderly

person or of a violation of Title 39, Motor Vehicles and Traffic Regulations, of the Revised Statutes, or who consistently violates any provision of this chapter or has any judgment unsatisfied or record against him arising out of an automobile accident or who has made false answers in his application for such license or any renewal thereof or who has not complied fully with all requirements of this chapter for such class of license; or

(2) The licensing official may suspend:

(a) Any limousine driver's license, if the licensee or applicant has in any degree contributed to any injury to person or damage to property arising out of negligent operation of a motor vehicle; or has any communicable or contagious disease; or

(b) Any limousine owner's license if the policy of insurance required herein has lapsed, or if such coverage is not maintained at all times. Such suspension shall be for a period not to exceed 30 days.

B. Within 10 days of the date of the suspension or revocation, an appeal from any such suspension or revocation may be made to the Business Administrator who shall forthwith schedule a hearing on the appeal. The Business Administrator shall render a decision within two days after completion of the hearing.

§ 273-11. Violations and penalties.

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not to exceed \$1,250 or by imprisonment for a term not to exceed 90 days, or both.

Section Two: Severability.

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section Three: Effective Date.

This Ordinance shall take effect upon passage and publication as provided by law.

Section Four: Codification.

This Ordinance shall be a part of the code of the City of Rahway as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Rahway in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repeals of existing provisions not intended to be repealed.

ACQUISITIONS AND IMPROVEMENTS BY AND FOR THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$750,000 IN PARKING UTILITY BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF
(Wenson Maier / Farrar)

Date of Introduced: April 8, 2019

Motion: Wenson Maier **Second:** Cox

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

NO: None

ABSENT: Councilmember Cox

Date of Public Hearing: May 13, 2019

Date of Adoption: May 13, 2019

Motion: Farrar **Second:** Cox

YES: Councilmembers Baker, Bresenhan, Cox Gibilisco, Miles, Mojica, Farrar, and Brown

NO: None

ABSENT: Councilmember Wenson Maier

ADOPTED ORDINANCE CITY OF RAHWAY, NEW JERSEY

No. O-09-19

BOND ORDINANCE PROVIDING FOR VARIOUS PARKING UTILITY CAPITAL ACQUISITIONS AND IMPROVEMENTS BY AND FOR THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$750,000 IN PARKING UTILITY BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken as general improvements for the Parking Utility (the "Parking Utility") of the City of Rahway, in the County of Union, State of New Jersey (the "City").

For the said improvements or purposes stated in Section 3, there is hereby appropriated the

sum of \$750,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required as the Parking Utility is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the said \$750,000 appropriation, negotiable Parking Utility bonds of the City are hereby authorized to be issued in the aggregate principal amount not exceeding \$750,000 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in an aggregate principal amount not exceeding \$750,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are for various Parking Utility capital acquisitions for and improvements by the City including, but not limited to, the acquisition and installation of (i) a new parking deck revenue controls system consisting of but not limited to gates and pay stations, (ii) new on-street parking meters, and (iii) new surface lot parking meters and pay stations.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$750,000.

(c) The aggregate estimated cost of said improvements or purposes is \$750,000.

(d) All such improvements or purposes set forth above in Section 3(a) are more particularly described in documents on file in the Office of the City Clerk and shall also include, but are not limited to, as applicable, surveying, consulting, construction planning, engineering and design work, preparation of plans and specifications, permits, bid documents, construction observation and inspection, contract and construction administration, and shall also include all

work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Union make a contribution or grant in aid to the City for the improvements or purposes authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Union. In the event, however, that any amount so contributed or granted, as applicable, by the United States of America, the State of New Jersey, and/or the County of Union shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the City as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to

report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The City hereby certifies that it has adopted a capital budget or temporary capital budget, as applicable, of the Parking Utility of the City. The capital budget of the Parking Utility of the City is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs of the Parking Utility as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the Office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the City may lawfully undertake as general improvements for the Parking Utility of the City, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, within the New Jersey Department of Community Affairs, and such statement shows that the gross debt of

the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$750,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

(e) This bond ordinance authorizes obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 8. Unless paid from other sources, the full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or

purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The City covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance.

SECTION 11. The Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City, which are authorized herein, and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

O-10-19	BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY BEING DESIGNATED AS BLOCK 160, LOT 7 ON THE OFFICIAL TAX MAP OF THE CITY OF RAHWAY, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$90,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$85,500 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF (Miles / Mojica)
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<p>Date of Introduced: <u>April 8, 2019</u> Motion: Miles Second: Mojica</p> <p>YES: Councilmembers Baker, Bresenhan, Gibilisco, Miles, Mojica, Wenson Maier, Farrar, and Brown</p> <p>NO: None</p> <p>ABSENT: Councilmember Cox</p> <p>Date of Public Hearing: <u>May 13, 2019</u></p> <p>Date of Adoption: <u>May 13, 2019</u> Motion: Miles Second: Mojica</p> <p>YES: Councilmembers Baker, Bresenhan, Cox Gibilisco, Miles, Mojica, Farrar, and Brown</p> <p>NO: None</p> <p>ABSENT: Councilmember Wenson Maier</p>
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**ADOPTED ORDINANCE
CITY OF RAHWAY, NEW JERSEY**

No. O-10-19

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY BEING DESIGNATED AS BLOCK 160, LOT 7 ON THE OFFICIAL TAX MAP OF THE CITY OF RAHWAY, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$90,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$85,500 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the City of Rahway, in the County of Union, State of New Jersey (the "City"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$90,000, which sum includes \$4,500 as the amount of down payment for said improvement or purpose required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by

virtue of a provision or provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$90,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount not exceeding \$85,500 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the City in a principal amount not exceeding \$85,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the acquisition and payment of the purchase price of real property, a lawful public purpose, such real property being designated as Block 160, Lot 7 on the Official Tax Map of the City, with a street address of 59-63 West Main Street (the "West Main Street Property"), and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$85,500.

(c) The estimated cost of said improvement or purpose is \$90,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the amount of \$4,500, is comprised of the down payment for said improvement or purpose.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Union make a contribution or grant in aid to the City, for the improvement and purpose authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be

reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Union. In the event, however, that any amount so contributed or granted, as applicable, by the United States of America, the State of New Jersey and/or the County of Union shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the City as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The City hereby certifies that it has adopted a capital budget or temporary capital budget, as applicable. The capital budget of the City is hereby amended to conform with

the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, within the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$85,500 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$13,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City is hereby authorized to acquire the West Main Street Property and to negotiate an agreement of sale for the aforesaid acquisition. The Mayor, Business Administrator, Chief Financial Officer, Township Attorney and Township Clerk are each hereby authorized, as applicable, to negotiate, approve, execute, attest, deliver and perform said agreement of sale and any and all documents necessary to acquire said West Main Street Property.

SECTION 10. The City reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 10 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 11. The City covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and

notes issued under this ordinance if and to the extent such bonds or notes are issued as tax-exempt obligations.

SECTION 12. The Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City, which are authorized herein, and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

<p>O-11-19</p>	<p>BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF EQUIPMENT FOR THE FIRE DEPARTMENT, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$275,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$261,250 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF (Gibilisco / Farrar)</p> <p>Date of Introduced: <u>April 8, 2019</u> Motion: Gibilisco Second: Farrar</p> <p>YES: Councilmembers Baker, Bresenhan, Gibilisco, Miles, Mojica, Wenson Maier, Farrar, and Brown</p> <p>NO: None</p> <p>ABSENT: Councilmember Cox</p> <p>Date of Public Hearing: <u>May 13, 2019</u></p> <p>Date of Adoption: <u>May 13, 2019</u></p>
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Motion: Gibilisco	Second: Farrar
YES: Councilmembers Baker, Bresenhan, Cox Gibilisco, Miles, Mojica, Farrar, and Brown	
NO: None	
ABSENT: Councilmember Wenson Maier	

**ADOPTED ORDINANCE
CITY OF RAHWAY, NEW JERSEY**

No. O-11-19

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF EQUIPMENT FOR THE FIRE DEPARTMENT, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$275,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$261,250 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the City of Rahway, in the County of Union, State of New Jersey (the “City”). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$275,000, which sum includes \$13,750 as the amount of down payment for said improvement or purpose required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$275,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount not exceeding \$261,250 pursuant to and within the limitations

prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the City in a principal amount not exceeding \$261,250 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the acquisition and installation of various fire equipment for use by the Fire Department of the City in the exercise of its functions, including but not limited to, NFPA 2013 edition upgrade kits including quick disconnect carbon regulators and integrated pass alarms and trackers, complete dual EBSS buddy breather assembly systems, carbon wrap cylinders less valves, and a low pressure air hose with regulator and face-piece, a high pressure hose charging wand, external gauge and low air audible alarm whistle with high visibility bag, color coded pouches and carabineers, and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$261,250.

(c) The estimated cost of said improvement or purpose is \$275,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the amount of \$13,750, is comprised of the down payment for said improvement or purpose.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Union make a contribution or grant in aid to the City, for the improvement and purpose authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Union. In the event, however, that any amount so contributed or granted, as applicable, by the United States of America, the State of New Jersey and/or the County of Union

shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the City as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The City hereby certifies that it has adopted a capital budget or temporary capital budget, as applicable. The capital budget of the City is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government

Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, within the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$261,250 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$25,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. Unless paid from other sources, the full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable

real property within the City for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The City covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance if and to the extent such bonds or notes are issued as tax-exempt obligations.

SECTION 11. The Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City, which are authorized herein, and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation

thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

O-12-19	<p>AN ORDINANCE AMENDING THE CITY OF RAHWAY CODE CHAPTER 401 VEHICLES AND TRAFFIC (Brown / Farrar)</p> <p>Date of Introduced: <u>April 8, 2019</u> Motion: Brown Second: Farrar</p> <p>YES: Councilmembers Baker, Bresenhan, Gibilisco, Miles, Mojica, Wenson Maier, Farrar, and Brown</p> <p>NO: None</p> <p>ABSENT: Councilmember Cox</p> <p>Date of Public Hearing: <u>May 13, 2019</u></p> <p>Date of Adoption: <u>May 13, 2019</u> Motion: Brown Second: Farrar</p> <p>YES: Councilmembers Baker, Bresenhan, Cox Gibilisco, Miles, Mojica, Farrar, and Brown</p> <p>NO: None</p> <p>ABSENT: Councilmember Wenson Maier</p>
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ADOPTED ORDINANCE CITY OF RAHWAY, NEW JERSEY

No. O-12-19

AN ORDINANCE AMENDING THE CITY OF RAHWAY CODE CHAPTER 401 VEHICLES AND TRAFFIC

WHEREAS, the City of Rahway wishes to amend the current Vehicles and Traffic Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rahway, County of Union, State of New Jersey that the current language for Chapter 401-75 shall omit the following from Schedule XVI: Time Limit Parking:

Section One:

Name of Street	Side (East / West)	Time/Limit/Hours/Days	Location
Jaques Avenue	Both	2 hours / 9 – 12 noon	St. Georges Ave. to West Lake Ave.

Section Two: Severability.

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section Three: Effective Date.

This Ordinance shall take effect upon passage and publication as provided by law.

Section Four: Codification.

This Ordinance shall be a part of the code of the City of Rahway as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Rahway in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repeals of existing provisions not intended to be repealed.

O-13-19	<p>ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY AND IMPROVEMENTS LOCATED AT 59-63 WEST MAIN STREET (BLOCK 160, LOT 7) FROM THE AMERICAN LEGION POST NO. 499 (Brown / Mojica)</p> <p>Date of Introduced: <u>April 8, 2019</u> Motion: Brown Second: Mojica</p> <p>YES: Councilmembers Baker, Bresenhan, Gibilisco, Miles, Mojica, Wenson Maier, Farrar, and Brown</p> <p>NO: None</p> <p>ABSENT: Councilmember Cox</p> <p>Date of Public Hearing: <u>May 13, 2019</u></p> <p>Date of Adoption: <u>May 13, 2019</u> Motion: Brown Second: Mojica</p> <p>YES: Councilmembers Baker, Bresenhan, Cox Gibilisco, Miles, Mojica, Farrar, and Brown</p> <p>NO: None</p> <p>ABSENT: Councilmember Wenson Maier</p>
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ADOPTED ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-13-19

ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY AND IMPROVEMENTS LOCATED AT 59-63 WEST MAIN STREET (BLOCK 160, LOT 7) FROM THE AMERICAN LEGION POST NO. 499

WHEREAS, the American Legion Post No. 499 (the “Owner”) is the owner of certain real property in the City of Rahway (the “City”) located at 59-63 West Main Street and designated as Block 160, Lot 7 on the official tax map of the City of Rahway (the “Property”); and

WHEREAS, the City Municipal Council designated the Central Business District Redevelopment Area in accordance with the criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), within which the Property is located, and adopted the Central Business District Redevelopment Plan in January 1998, as amended and supplemented (the “Redevelopment Plan”); and

WHEREAS, N.J.S.A. 40A:12A-8 of the Redevelopment Law authorizes the City to acquire property to carry out the objectives of the Redevelopment Plan; and

WHEREAS, the City desires to purchase and the Owner desires to sell the Property; and

WHEREAS, the City commissioned an appraisal of the Property which established an appraised value for the Property of \$150,000; and

WHEREAS, the Property requires substantial rehabilitation based upon the fact that it has been vacant for a significant period of time and has fallen into a state of disrepair; and

WHEREAS, given the condition of the Property, and the anticipated rehabilitation costs, the parties have negotiated and agreed upon a purchase price of \$77,500, subject to approval of the Municipal Council; and

WHEREAS, the City has determined that it is necessary, beneficial and in the public interest to acquire the Property for the purpose of redevelopment in the manner guided by and consistent with the Redevelopment Plan and the Redevelopment Law.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Rahway as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor is hereby authorized to execute a contract of sale and other any documents required for the purchase of the Property.

3. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.
4. This Ordinance shall take effect in accordance with all applicable laws.

MISCELLANEOUS (Unfinished Business)
No items were offered.

COMMUNICATIONS: Hearing of Citizens on Any Item (Five Minutes per Speaker)
With no one appearing, Council President Farrar closed the public hearing.

COUNCIL COMMENT: (Three Minutes per Member)
The Council Members offered their remarks.

ADJOURNMENT

A motion to adjourn the meeting was made by Councilmember Brown; seconded by Councilmember Bresenhan at 7:31 p.m.

YES: Councilmembers Baker, Bresenhan, Brown, Cox, Gibilisco, Miles, Mojica, and Farrar

ABSENT: Councilmember Wenson Maier

Council President Farrar declared the motion carried.

Approved:

Rayna E. Harris, City Clerk

Rodney Farrar, Council President