

MINUTES
COMBINED MEETING
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
AUGUST 12, 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)

Council President Farrar called the meeting to order at 7:09 p.m. and read the Roll Call.

ROLL CALL

PRESENT: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

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.

In the absence of a Member of the Clergy, Councilman David Brown offered the invocation.

EXECUTIVE CLOSED SESSION

In public, Council President Farrar stated that the Council had a need to enter Executive Closed Session.

A motion was made by Councilmember Cox and seconded by Councilmember Brown to adopt **Resolution AR-195-19** to enter into Executive Closed Session at 7:12 p.m. The Resolution was adopted as follows.

AR-195-19	RESOLUTION AUTHORIZING AN EXECUTIVE CLOSED SESSION
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YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

Council President Farrar declared the motion carried.

Motion was made by Councilmember Cox and seconded by Councilmember Wenson Maier to conclude the Executive Closed Session and return to the normal order of business at 7:15 p.m.

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

Council President Farrar declared the motion carried.

PRESENTATIONS

No items were offered.

REVIEW OF AGENDA

The Members of Council reviewed and discussed the items to be placed on the agenda. Council President Farrar set a mover and second for each of the ordinances and resolutions listed.

APPROVAL OF MINUTES

July 16, 2019 7 p.m. Combined Meeting & Executive Closed Session

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

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

Council President Farrar declared the motion carried.

COMMUNICATIONS: MAYOR, REPORTS OF CITY OFFICERS AND BILL PAYMENT LIST

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

REPORTS OF COUNCIL COMMITTEES

No reports were offered.

HEARINGS OF CITIZENS: ITEMS ON AGENDA

Except Ordinances on Second Reading. (Five Minutes per Speaker)

With no one appearing, Council President Farrar declared the hearing of citizens closed.

CONSENT AGENDA

Items listed 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 or Citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda.

ORDINANCES - FIRST READING

O-18-19	<p>AN ORDINANCE AMENDING CHAPTER 337, "SEWERS AND SEWAGE DISPOSAL" ARTICLE XII, "ESTABLISHMENT; ORGANIZATION; USER FEES" SECTION 337-52 "FEES" SETTING RATES AND FEES FOR THE USE OF THE SEWER SYSTEM</p> <p>Motion to introduce the above entitled Ordinance O-18-19 on first reading was made by Councilmember Miles, seconded by Councilmember Gibilisco and adopted by the following vote:</p> <p>YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar</p> <p>ABSENT: Councilmembers Baker, Bresenhan, and Mojica</p> <p>Council President Farrar declared the motion carried.</p>
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ORDINANCE

CITY OF RAHWAY, NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 337, "SEWERS AND SEWAGE DISPOSAL" ARTICLE XII, "ESTABLISHMENT; ORGANIZATION; USER FEES" SECTION 337-52 "FEES" SETTING RATES AND FEES FOR THE USE OF THE SEWER SYSTEM

NOW THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Rahway that Chapter 337 "Sewers and Sewage Disposal", Article XII, "Establishment; Organization; User Fees", Section 337-52 "Fees" of the Code of the City of Rahway be and is hereby amended and supplemented to read as follows:

§ 337-52 Rates and charges.

- A. The charges and rents for connection to and use of the sewer system shall be fixed by this Part 5 and shall not be altered, amended or repealed by the provisions of this article. The purpose of this Part 5 is to impose an annual user fee as hereinafter defined on all domestic, commercial, industrial, institutional and government users of the Sewer Utility. A "user fee" is defined as a fee levied upon all users of the Sewer Utility for the annual cost of operation and maintenance of the Sewer Utility.

SIGNIFICANT INDUSTRIAL USERS

Industrial users generating sufficient wastewater quantities to meet definitions established by the NJDEP and/or the RVSA and shall meet all Township, RVSA and NJDEP monitoring and reporting requirements.

- D. User fees. User fees are established as follows:

(1) Residential; annual charge:	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
(a) Single family:	\$290	\$305	\$320	\$335	\$350	\$365	\$380	\$400
(b) Two family:	\$455	\$478	\$500	\$526	\$552	\$580	\$610	\$640
(c) Condominium:	\$235	\$247	\$259	\$272	\$285	\$300	\$315	\$330

- (d) For each additional family unit above a two-family the annual charge shall be the current year amount plus \$185 for each family unit above a two-family home.
- (e) For all properties owned by senior citizens and which qualify for a senior citizen tax deduction pursuant to the provisions of N.J.S.A. 54:4-8.40 et seq., the rates shall be \$50.

(2) Commercial; industrial:	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
(a) Minimum annual charge								
per account (plus usage):	\$410	\$430	\$452	\$475	\$498	\$523	\$549	\$576
(b) Usage: per 1,000 gallons.	\$4.67	\$5.15	\$5.40	\$5.65	\$5.90	\$6.25	\$6.50	\$6.85

(3) Not-for-profit; apartment; governmental:

(a) Minimum annual charge	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
per account (plus usage):	\$153	\$160	\$169	\$177	\$186	\$195	\$205	\$215
(b) Usage: per 1,000 gallons.	\$3.10	\$3.25	\$3.40	3.60	\$3.75	\$3.90	\$4.15	\$4.30

(4) Significant industrial user (e.g. Merck):

(a) Minimum annual charge	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
per account (plus usage):	\$410	\$430	\$452	\$475	\$498	\$523	\$549	\$576
(b) Usage: per 1,000 gallons.	\$6.20	\$6.50	\$6.80	\$7.15	\$7.50	\$7.90	\$8.25	\$8.70

(5) Significant industrial users' solid waste charges. In addition to the billing charges assessed herein, the significant industrial users will be charged those fees assessed by the RVSA based on BOD and TSS.

BE IT FURTHER ORDAINED, all rates be effective on October 1, of the year listed.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, this ordinance shall take effect upon adoption and approval in accordance with applicable law.

O-19-19	<p>BOND ORDINANCE PROVIDING FOR THE PURCHASE OF BUSES TO PROVIDE TRANSPORTATION FOR SENIOR CITIZENS, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF</p> <p>Motion to introduce the above entitled Ordinance O-19-19 on first reading was made by Councilmember Brown, seconded by Councilmember Cox and adopted by the following vote:</p> <p>YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar</p> <p>ABSENT: Councilmembers Baker, Bresenhan, and Mojica</p> <p>Council President Farrar declared the motion carried.</p>
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ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. **O-19-19**

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF BUSES TO PROVIDE TRANSPORTATION FOR SENIOR CITIZENS, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY;

**APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$142,500 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 \$150,000, which sum includes \$7,500 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 \$150,000 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 \$142,500 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 \$142,500 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 purchase of buses to provide transportation for the senior citizens in the City, including, as applicable, all work, materials, equipment 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 \$142,500.

(c) The estimated cost of said improvement or purpose is \$150,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the amount of \$7,500, 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 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 \$142,500 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 \$10,000 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 herein is paid, or (ii) the date the improvements or purposes 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-20-19	<p>BOND ORDINANCE PROVIDING FOR THE REPAIR OF SINK HOLES, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES OF THE SEWER UTILITY OF THE CITY TO FINANCE THE COSTS THEREOF</p> <p>Motion to introduce the above entitled Ordinance O-20-19 on first reading was made by Councilmember Wenson Maier, seconded by Councilmember Farrar and adopted by the following vote:</p> <p>YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar</p> <p>ABSENT: Councilmembers Baker, Bresenhan, and Mojica</p> <p>Council President Farrar declared the motion carried.</p>
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ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-20-19

BOND ORDINANCE PROVIDING FOR THE REPAIR OF SINK HOLES, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES OF THE SEWER UTILITY OF THE CITY TO FINANCE THE COSTS 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 as general improvements to be undertaken by the Sewer Utility (the “Sewer 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 amount of \$500,000 by the Sewer Utility of the City. 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 Sewer Utility is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the Sewer Utility are hereby authorized to be issued in a principal amount not exceeding \$500,000 pursuant and within the limitations prescribed by to 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 a principal amount not exceeding \$500,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are for the repair of sink holes at various locations throughout the City, including, but not limited to, the installation of new sewer pipes and the reconstruction of roadway with proper aggregate and asphalt. Such improvements or purposes shall also include, as applicable, all construction planning, engineering, design work, preparation of plans and specifications, permits, bid documents, environmental remediation, construction documents, inspection and contract administration and all materials, equipment, accessories and work necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes of the City to be issued for said purposes is \$500,000.

(c) The estimated cost of said improvements or purposes is \$500,000.

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 and 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 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 N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a 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, 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 a temporary capital budget of the Sewer Utility of the City, as applicable. The capital budget of the Sewer Utility of the City is hereby

amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget of the Sewer Utility of the City, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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 which the City may lawfully undertake as general improvements for the Sewer 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 and purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of 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 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 obligations provided for in this bond ordinance by \$500,000 and the obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An 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 described in Section 3 hereof.

(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 herein is paid, or (ii) the date the improvements or purposes 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 bond 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

hereof after final adoption, as provided by the Local Bond Law.

O-21-19	<p>AN ORDINANCE AMENDING CHAPTER 297. PARKING: CITY OWNED PROPERTY OF THE CODE OF THE CITY OF RAHWAY (PARKING BY PERMIT ONLY)</p> <p>Motion to introduce the above entitled Ordinance O-21-19 on first reading was made by Councilmember Farrar, seconded by Councilmember Brown and adopted by the following vote:</p> <p>YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar</p> <p>ABSENT: Councilmembers Baker, Bresenhan, and Mojica</p> <p>Council President Farrar declared the motion carried.</p>
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**ORDINANCE
CITY OF RAHWAY, NEW JERSEY**

No. **O-21-19**

AN ORDINANCE AMENDING CHAPTER 297. PARKING: CITY OWNED PROPERTY OF THE CODE OF THE CITY OF RAHWAY (PARKING BY PERMIT ONLY)

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. Shall be modified to state:

§ 297-10 Violation and Penalties.

Any person violating the provisions of this chapter shall, upon conviction thereof, be punished by a by not exceeding \$500, towed at owners' expense, or by imprisonment for a term not to exceed 90 days, or all.

Section 2.

§ 297-12 Schedule II: Parking by Permit Only

Name of Property	Days	Location	Times
Milton Street Lot.	M-F	Milton Avenue and Broad Street	5 a.m. – 7 p.m.
Broad Street Lot	M-F	Broad Street and Campbell	5 a.m. – 7 p.m.
Fulton Street Lot	M-F	Fulton Street	5 a.m. – 7 p.m.

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 publication as required by law.

O-22-19	<p>AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (LOADING ZONES)</p> <p>Motion to introduce the above entitled Ordinance O-22-19 on first reading was made by Councilmember Wenson Maier, seconded by Councilmember Miles and adopted by the following vote:</p> <p>YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar</p> <p>ABSENT: Councilmembers Baker, Bresenhan, and Mojica</p> <p>Council President Farrar declared the motion carried.</p>
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ORDINANCE CITY OF RAHWAY, NEW JERSEY

No. O-22-19

AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (LOADING ZONES)

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. 401-26 – Loading Zones

Modify to read: No person shall park, stop, or stand a vehicle between the hours of 5:00 a.m. and 7:00 p.m., unless actively engaged in the loading or unloading of goods or merchandise, in any of the locations described in Schedule XVIII 401-77, attached to and made a part of this chapter, which are hereby designated as loading zones.

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.

O-23-19	<p>AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (PARKING PROHIBITED CERTAIN HOURS)</p> <p>Motion to introduce the above entitled Ordinance O-23-19 on first reading was made by Councilmember Gibilisco, seconded by Councilmember Cox and adopted by the</p>
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	<p>following vote:</p> <p>YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar</p> <p>ABSENT: Councilmembers Baker, Bresenhan, and Mojica</p> <p>Council President Farrar declared the motion carried.</p>
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ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-23-19

AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (PARKING PROHIBITED CERTAIN HOURS)

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. Schedule XIV 401-73 - Parking Prohibited Certain Hours

<u>ADD</u>	<u>SIDE</u>	<u>LOCATION</u>	<u>HOURS</u>
Pierce St.	Both	E. Emerson to E. Milton Ave.	5 a.m. – 7 a.m. Mon. – Fri.
Fulton St.	Both	E. Emerson to E. Milton Ave.	5 a.m. – 7 a.m. Mon. – Fri.
Campbell St.	Both	Broad to W. Cherry St.	5 a.m. – 7 a.m. Mon. – Fri.
Central Ave.	Both	Campbell St. to Irving St.	5 a.m. – 7 a.m. Mon. – Fri.
Hamilton St.	Both	Bridge to Central Ave.	5 a.m. – 7 a.m. Mon. – Fri.
Seminary Ave.	Both	Gordan Place to Irving St.	5 a.m. – 7 a.m. Mon. – Fri.
Monroe Street	Both	Main to Bridge	5 a.m. – 7 a.m. Mon. – Fri.
E. Milton Ave.	Both	Bridge to Georgia	5 a.m. – 7 a.m. Mon. – Fri.
Main St.	Both	E. Emerson to Irving St.	5 a.m. – 7 a.m. Mon. – Fri.
Broad St.	Both	W. Milton to Irving St.	5 a.m. – 7 a.m. Mon. – Fri.
Elizabeth Ave.	Both	Irving St. to Bridge	5 a.m. – 7 a.m. Mon. – Fri.
Poplar	Both	Irving St. to Bridge	5 a.m. – 7 a.m. Mon. – Fri.
E. Cherry	Both	Irving St. to Main St.	5 a.m. – 7 a.m. Mon. – Fri.
Dock St.	Both	Monroe St. to Lewis St.	5 a.m. – 7 a.m. Mon. – Fri.
Lewis St.	Both	Irving St. to Dock St.	5 a.m. – 7 a.m. Mon. – Fri.
Augusta	Both	E. Milton Ave. to Lewis St.	5 a.m. – 7 a.m. Mon. – Fri.

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.

O-24-19	AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (ESTABLISHMENT OF PERMIT PARKING PROGRAM)
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	<p>Motion to introduce the above entitled Ordinance O-24-19 on first reading was made by Councilmember Miles, seconded by Councilmember Farrar and adopted by the following vote:</p> <p>YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar</p> <p>ABSENT: Councilmembers Baker, Bresenhan, and Mojica</p> <p>Council President Farrar declared the motion carried.</p>
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ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-24-19

AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (ESTABLISHMENT OF PERMIT PARKING PROGRAM)

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. Schedule XXCII 401-86 – Establishment of Permit Parking Program

<u>ADD</u>	<u>SIDE</u>	<u>LOCATION</u>	<u>HOURS</u>
Broad St.	Both	Campbell Street	5 a.m. – 7 p.m. Mon. – Sat.
Campbell St.	Both	W. Cherry	5 a.m. – 7 p.m. Mon. – Sat.
W. Cherry	Both	Broad Street	5 a.m. – 7 p.m. Mon. – Sat.
Broad St.	Both	Campbell St.	5 a.m. – 7 p.m. Mon. – Sat.
Fulton	Both	Milton to Hazelwood	5 a.m. – 7 p.m. Mon. – Sat.
Pierce	Both	Milton to Emerson	5 a.m. – 7 p.m. Mon. – Sat.
W. Milton	Both	Jacques to Broad	5 a.m. – 7 p.m. Mon. – Sat.

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.

O-25-19	<p>AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (DESIGNATION OF PARKING SPACES)</p> <p>Motion to introduce the above entitled Ordinance O-25-19 on first reading was made by Councilmember Farrar, seconded by Councilmember Brown and adopted by the following vote:</p>
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	<p>YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar</p> <p>ABSENT: Councilmembers Baker, Bresenhan, and Mojica</p> <p>Council President Farrar declared the motion carried.</p>
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ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-25-19

AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (DESIGNATION OF PARKING SPACES)

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. Schedule XXIV 401-83 – Designation of Parking Spaces

<u>ADD</u>	<u>SIDE</u>	<u>LOCATION</u>	<u>HOURS</u>
E. Milton Ave.	Both	Bridge to Georgia	7 a.m. – 7 p.m. Mon. – Sat. / 4 hr. Maximum
Main St.	Both	E. Emerson to Irving St.	7 a.m. – 7 p.m. Mon. – Sat. / 4 hr. Maximum
Broad St.	Both	W. Milton to Irving St.	7 a.m. – 7 p.m. Mon. – Sat. / 4 hr. Maximum
Elizabeth Ave.	Both	Irving St. to Bridge	7 a.m. – 7 p.m. Mon. – Sat. / 4 hr. Maximum Poplar
	Both	Irving St. to Bridge	7 a.m. – 7 p.m. Mon. – Sat. / 4 hr. Maximum
E. Cherry	Both	Irving St. to Main St.	7 a.m. – 7 p.m. Mon. – Sat. / 4 hr. Maximum
Dock St.	Both	Monroe St. to Lewis St.	7 a.m. – 7 p.m. Mon. – Sat. / 4 hr. Maximum
Lewis St.	Both	Irving St. to Dock St.	7 a.m. – 7 p.m. Mon. – Sat. / 4 hr. Maximum Augusta
	Both	E. Milton to Lewis St.	7 a.m. – 7 p.m. Mon. – Sat. / 4 hr. Maximum

Section 2. ADD Rates for the above Scheduled Designated Parking Spaces shall be:

- .50 cents for thirty minutes
- .75 cents for forty-five minutes
- \$1.00 for sixty minutes

Section 3.

<u>ADD</u>	<u>SIDE</u>	<u>LOCATION</u>	<u>HOURS</u>
River Place Lot	All		7 a.m. – 7 p.m. Mon. – Sat.

Section 4. Add Rates for River Place lots, which shall be:

Midnight – 5 p.m. Monday through Friday			
Coins		Credit Card	
Hour	Rate	Hour	Rate
1	.50 cents	N/A	N/A
1.5	\$1.00	1.5	\$1.00
2	\$1.25	2	\$1.25
3	\$2.25	3	\$2.25
4	\$3.75	4	\$3.75
6	\$5.00	6	\$5.00

+6 – 13	\$8.00	+6 – 13	\$8.00
24	\$12.00	24	\$12.00
AFTER 5P.M. MONDAY-FRIDAY ALL DAY SATURDAY AND SUNDAY			
Coins		Credit	
1	.50 cents	N/A	N/A
2	\$1.25	2	\$1.25
4	\$3.00	4	\$3.00
6	\$4.00	6	\$4.00
8	\$5.00	8	\$5.00
12	\$7.00	12	\$7.00
24	\$12.00	24	\$12.00

Section 5. All Ordinances or parts of Ordinances inconsistent herewith are repealed.

Section 6. 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 7. This Ordinance shall become effective after second reading and publication as required by law.

These Ordinances were 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. These Ordinances will come up for Public Hearing and further action at a Council Meeting on September 9, 2019 at 7 p.m. or at any time and place to which the meeting for the further consideration of the ordinances shall be adjourned.

RESOLUTIONS

Department of Administration

AR-178-19	RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO T&M ASSOCIATES FOR ENVIRONMENTAL ENGINEERING SERVICES
AR-179-19	RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RAHWAY DETERMINING THAT PROPERTIES IDENTIFIED AS BLOCK 162, LOTS 8, 9, 10, 11, 12 AND 13 BE DESIGNATED AS A CONDEMNATION REDEVELOPMENT AREA IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR THE DESIGNATED STUDY AREA
AR-180-19	RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DISCHARGE OF MORTGAGE FOR JAMES E MACKIE POST 499 FOR THE PREMISES KNOWN AS 59-63 WEST MAIN STREET, IN THE CITY OF RAHWAY, NEW JERSEY
AR-181-19	RESOLUTION CONFIRMING THE MAYOR’S REAPPOINTMENT OF THOMAS MANCUSO TO THE POSITION OF TAX ASSESSOR
AR-182-19	RESOLUTION REAPPOINTING DEBORA L. ALLEN AS REGISTRAR OF VITAL STATISTICS

AR-183-19	RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO JAMES P. NOLAN & ASSOCIATES TO PROVIDE LEGAL SERVICES RELATED TO EMPLOYMENT PRACTICES FOR THE CITY OF RAHWAY
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Department of Community Development

AR-184-19	RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO B&W CONSTRUCTION CO. OF NJ INC., FOR SEWER SYSTEM IMPROVEMENTS ON WEST INMAN AVENUE, PURSUANT TO N.J.S.A. 40A: 11-6
AR-185-19	RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO B&W CONSTRUCTION CO. OF NJ INC., FOR SEWER SYSTEM IMPROVEMENTS ON ELM AVENUE, PURSUANT TO N.J.S.A. 40A: 11-6
AR-186-19	RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO B&W CONSTRUCTION CO. OF NJ INC., FOR STORMWATER SYSTEM IMPROVEMENTS ON SEMINARY AVENUE, PURSUANT TO N.J.S.A. 40A: 11-6
AR-187-19	***REMOVED***
AR-188-19	RESOLUTION AUTHORIZING THE RETURN OF PERFORMANCE BOND AND FINAL PAYMENT FOR THE “RAHWAY SENIOR CENTER ROOF REPLACEMENT PROJECT” TO VMG GROUP
AR-189-19	AUTHORIZING REJECTION OF ALL BIDS SUBMITTED FOR 2019 ROAD RESURFACING PROGRAM AND AUTHORIZING THE RE-BID OF SAME

Department of Revenue and Finance

AR-190-19	RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATE FOR A 2016 TAX LIEN
AR-194-19	RESOLUTION AUTHORIZING A CAPITAL BUDGET AMENDMENT

Department of Public Works

AR-191-19	RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AND HOLD HARMLESS AGREEMENT FOR THE USE OF THE UNION COUNTY LEAF COMPOSTING FACILITY
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Office of the City Clerk

AR-192-19	RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF 365-1 THROUGH 365-3 (SIDEWALK ENCUMBRANCES) AND 365-50 THROUGH 365-51 (CLOSING OF STREETS) OF THE CODE OF THE CITY OF RAHWAY FOR THE 2019 CHERRY STREET SOIREE EN BLANC
AR-193-19	RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF 365-1 THROUGH 365-3 (SIDEWALK ENCUMBRANCES) AND 365-50 THROUGH 365-51 (CLOSING OF STREETS) OF THE CODE OF THE CITY OF RAHWAY (WORD OF LIFE APOSTOLIC CENTER ANNUAL BACK TO SCHOOL EVENT)

ORDINANCES – FINAL ADOPTION/SECOND READING

O-16-19	<p>AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING 980 LEESVILLE AVENUE</p> <p>Council President Farrar opened the Public Hearing on this matter and asked if any citizen wished to be heard, to approach the rail, give his/her name and address and be heard.</p> <p>With no one appearing, Council President Farrar closed the Public Hearing.</p> <p>Motion to introduce the above entitled Ordinance O-16-19 on first reading was made by Councilmember Farrar, seconded by the entire Councilmember Cox and adopted by the following vote:</p>
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	<p>YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar</p> <p>ABSENT: Councilmembers Baker, Bresenhan, and Mojica</p> <p>Council President Farrar declared the motion carried.</p>
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**ADOPTED ORDINANCE
CITY OF RAHWAY, NEW JERSEY**

No. O-16-19

**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 980 Leesville Avenue
West Side – From the apex of E. Hazelwood Avenue heading south 704 feet and extending to a point 22’ south 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.

O-17-19	<p>AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING 1204 JAQUES AVENUE</p> <p>Council President Farrar opened the Public Hearing on this matter and asked if any citizen wished to be heard, to approach the rail, give his/her name and address and be heard.</p> <p>With no one appearing, Council President Farrar closed the Public Hearing.</p> <p>Motion to introduce the above entitled Ordinance O-17-19 on first reading was made by Councilmember Farrar, seconded by the entire Councilmember Cox and adopted by the following vote:</p>
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YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

Council President Farrar declared the motion carried.

ADOPTED ORDINANCE CITY OF RAHWAY, NEW JERSEY

No. O-17-19

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 1204 Jaques Avenue

West Side- Beginning at a point 118 feet South of the intersection of Milton Avenue extending to point 22 feet South 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.

City Clerk Rayna E. Harris read the following statement: These Ordinances having been read on two separate days and having achieved the vote required by law is declared adopted. The City Clerk is directed to deliver same to the Mayor for his approval or disapproval.

MISCELLANEOUS (Unfinished Business)

No items were offered.

COMMUNICATIONS: Hearing of Citizens on Any Item (Five Minutes per Speaker)

Daniel Gagnon, 160 Lentz Court: He read a prepared statement.

I would like to bring to the city council's attention to the creek that is located behind my property at 160 Lentz Ct. The creek flows throughout the city eventually running into the South Branch Rahway River. From what I have been able to gather, the creek was constructed or renovated between 1929 and the 1950's. All appearances suggest that the creek has not been upgraded or maintained since the time which it was built. As a taxpayer, I find it concerning that the city council approved a \$2 million-dollar bond for a private real estate development, yet they fail to take care of critical public infrastructure.

I purchased my home in 2015. Occasionally, the creek water level has risen above normal levels. However, nothing could prepare me for what happened on July 22, 2019 and August 8, 2019. On these two dates, thunderstorms caused the creek water levels to rise like I have never seen before. The water blanketed the two streets connecting to mine, Murray St and Concord St.

Before these two instances, I have never thought to look too much into the creek. Throughout the entire creek, all you can see is trash, debris from broken retaining walls, and tree branches. There is sediment build up throughout the length of the creek. The retaining walls which were built decades ago have collapsed in most cases and are inconsistent throughout. I have brought this issue up several times by email to the entire city council and the mayor. My first email was sent on July 24, 2019. I have sent photos and videos of both the overflow events and the disastrous state which the creek is in.

The DPW claims responsibility for maintaining the creek, CityofRahway.org states: The City of Rahway consists of 75 road miles in the 4.1 square miles which is maintained by the Public Works Department which includes repairing sanitary and storm sewers, 1037 catch basins, snow and ice control and removal, pothole repair, street signs and traffic signals, drainage and cleaning of brooks, creeks and culverts along with flood control and levee maintenance.

Today, I received a concerning voicemail from Jacqueline Foushee. Rather than accept responsibility for the city's failures over the course of decades, she instead threatened neighbors and I with summonses. Jacqueline in her voicemail asserted that she would demand that homeowners clean all debris out of the creek on their property. I would like to point out that by the city's own accord, the DPW is responsible for clearing and maintaining waterways.

This creek runs through vast portions of the City of Rahway. Failure to act with expedience will result in millions of dollars of property damage. All I ask is that the city take responsibility and fix the creek.

COUNCIL COMMENT: (Three Minutes per Member)

The Council Members offered their remarks.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Gibilisco; seconded by Councilmember Miles at 7:57p.m.

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

ABSENT: Councilmembers Baker and Wenson Maier

Council President Farrar declared the motion carried.

Approved:

Rayna E. Harris, City Clerk

Rodney Farrar, Council President

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-178-19

Date of Adoption: August 12, 2019

RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO T&M ASSOCIATES FOR ENVIRONMENTAL ENGINEERING SERVICES

WHEREAS, the City of Rahway is in need of environmental engineering services; and

WHEREAS, under the provisions of P.L. 2004, c.19, known as the “New Jersey Local Unit Pay-To-Play Law,” the City conducted a fair and open process for the provision of environmental engineering services to the City; and

WHEREAS, a Request for Qualifications under the “fair and open” process was solicited in compliance with N.J.S.A. 19:44-A-20.4 et seq; and

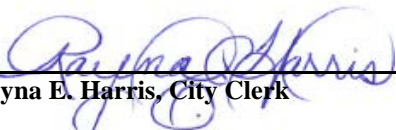
WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that resolutions authorizing the award of contracts for a professional service be publicly advertised.

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

1. T&M Associates has submitted a response to the Request for Qualifications for Provision of environmental engineering services to the City of Rahway and
2. T&M Associates has extensive experience in environmental engineering and
3. T&M Associates has a proposed fee of \$5,700.00 for the outlined investigation and or remediation of the Carriage City Site; and
4. The contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5) and under the fair and open process of the Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20.4)

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk hereby authorized to execute any and all documents related to said engagement.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 12th day of August 2019.


Rayna E. Harris, City Clerk

Motion: Gibilisco

Second: Cox

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-179-19

Date of Adoption: August 12, 2019

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RAHWAY DETERMINING THAT PROPERTIES IDENTIFIED AS BLOCK 162, LOTS 8, 9, 10, 11, 12 AND 13 BE DESIGNATED AS A CONDEMNATION REDEVELOPMENT AREA IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. AND AUTHORIZING AND DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN FOR THE DESIGNATED STUDY AREA

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), authorizes municipalities to determine whether certain properties located therein constitute areas in need of redevelopment; and

WHEREAS, the City Council of the City of Rahway (the “City Council”) adopted Resolution No. AR-53-19 on February 11, 2019 authorizing and directing the Planning Board of the City of Rahway (the “Planning Board”) to undertake a preliminary investigation to determine whether the following properties (hereinafter, the “Study Area”) should be declared a Condemnation Redevelopment Area;

Address	Block	Lot
288 Seminary Avenue	162	8
277 Hamilton Street	162	9
308 Seminary Avenue	162	10
322 Seminary Avenue	162	11
1613-17 Gordon Place	162	12
309 Hamilton Street	162	13

WHEREAS, in accordance with the City Council’s directives in Resolution No. AR-53-19, the Planning Board conducted a preliminary investigation of the Study Area to determine whether it should be designated as a Condemnation Redevelopment Area in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, as part of the preliminary investigation, the City’s Planner, Paul Phillips, AICP, PP (the “Planner”) prepared a study entitled “Area in Need of Redevelopment Study – Block 162, Lots 8, 9, 10, 11, 12 and 13, City of Rahway, New Jersey” (the “Investigation Study”) and at a duly noticed public hearing on June 12, 2019, presented the Investigation Study to the Planning Board for its consideration in determining whether the Study Area should be designated as an area in need of redevelopment; and

WHEREAS, after completing its investigation and public hearing on this matter, the Planning Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law for designating the Study Area as a Condemnation Redevelopment Area that would authorize the City, if necessary, to exercise the power of eminent domain to acquire any property in the Study Area; and

WHEREAS, in accordance with the Redevelopment Law and memorialized in a letter from the Planning Board Secretary dated June 14, 2019, appended hereto as **Attachment A**, the Planning Board recommended to the City Council that Block 162, Lots 8, 9, 10, 11, 12 and 13 be designated as a Condemnation Redevelopment Area; and

WHEREAS, in order to effectuate the City Council's designation of the Study Area as a Condemnation Redevelopment Area, the preparation of a redevelopment plan by the Director of Planning is required.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rahway hereby accepts the recommendation from the Planning Board and finds that Block 162, Lots 8, 9, 10, 11, 12 and 13 as designated on the City's official tax map, be and are hereby deemed and declared to be a Condemnation Redevelopment Area pursuant to the Redevelopment Law; and

BE IT FURTHER RESOLVED that the designation of Block 162, Lots 8, 9, 10, 11, 12 and 13 as a Condemnation Redevelopment Area shall authorize the City to exercise the power of eminent domain to acquire properties within the Study Area in the event it is determined that such acquisition is necessary; and

BE IT FURTHER RESOLVED that the City hereby reserves all other authority and powers granted to it under the Redevelopment Law; and

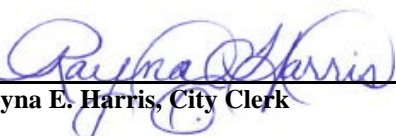
BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to N.J.S.A. 40A:12A-6(b)(5)(c); and

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:12A-6(b)(5)(d), a copy of this Resolution shall be served within ten (10) days of its adoption upon all record owners of property located within the Study Area, those whose names are listed on the tax assessor's records and upon each person who filed a written objection to the proposed Condemnation Redevelopment Area determination and who indicated in such written objection an address to which notice of the determination may be sent; and

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:12A-7(f), the Planning Board is hereby authorized and directed to prepare a redevelopment plan for the Study Area designated as a Condemnation Redevelopment Area and to transmit the completed redevelopment plan to the City Council for review and adoption; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the City Clerk, Chief Financial Officer and City Planning Board.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 12th day of August 2019.



Rayna E. Harris, City Clerk

Motion: Wenson Maier **Second:** Brown

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-180-19

Date of Adoption: August 12, 2019

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DISCHARGE OF MORTGAGE FOR JAMES E MACKIE POST 499 FOR THE PREMISES KNOWN AS 59-63 WEST MAIN STREET, IN THE CITY OF RAHWAY, NEW JERSEY

WHEREAS, James E Mackie Post 499 is the owner of the premises known as 59-63 West Main Street, in the City of Rahway (the "Premises"); and

WHEREAS, on December 18, 1984, the City of Rahway entered into a Mortgage in the amount of \$18,912.00 (the "Mortgage"); and

WHEREAS, pursuant to the City of Rahway's purchase of the Premises and need for the lien to be discharged of record to obtain a title insurance policy issued by Fidelity National Title Insurance Company, the Mortgage should be discharged of record; and

WHEREAS, the matter has been reviewed by the City Attorney's office, and as a result of that review, the City Attorney concurs with the above recommendation.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the Mayor and City Clerk hereby are authorized to execute a Discharge of Mortgage for the premises known as 59-63 West Main Street, Rahway, New Jersey 07065, owned by James E Mackie Post 499 for a Mortgage in the amount of \$18,912.00, made on December 18, 1984 and recorded on December 27, 1984, in Book 3492, Page 915. In a form substantially similar to the form attached hereto.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 12th day of August 2019.


Rayna E. Harris, City Clerk

Motion: Farrar

Second: Brown

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-181-19

Date of Adoption: August 12, 2019

RESOLUTION CONFIRMING THE MAYOR'S REAPPOINTMENT OF THOMAS MANCUSO TO THE POSITION OF TAX ASSESSOR

WHEREAS, Mayor Richard B. Proctor initially appointed Thomas Mancuso as the City's Tax Assessor, effective September 1, 2012; and

WHEREAS, Mayor Samson D. Steinman reappointed Thomas Mancuso as the City's Tax Assessor to a for four-year term effective July 1, 2013 and expiring on June 30, 2017; and

WHEREAS, Mayor Raymond A. Giacobbe has nominated Thomas Mancuso for reappointment as Tax Assessor.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway that the Mayor's reappointment of Thomas Mancuso as Tax Assessor, for four-year term expiring on June 30, 2021, is hereby confirmed.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 12th day of August 2019.


Rayna E. Harris, City Clerk

Consent Agenda

Motion: Cox

Second: Brown

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-182-19

Date of Adoption: August 12, 2019

RESOLUTION REAPPOINTING DEBORA L. ALLEN AS REGISTRAR OF VITAL STATISTICS

WHEREAS, N.J.S.A. 26:8-11 requires the local governing body to appoint a local registrar for that district; and

WHEREAS, N.J.S.A. 26:8-13 states the term of office of a local registrar shall be 3 years; and

WHEREAS, Registrar of Vital Statistics Debora L. Allen has completed the required courses towards certification as a Registrar of Vital Statistics.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that Deborah L. Allen be reappointed to the three-year term of Registrar of Vital Statistics under the provisions of N.J.S.A. 26:8-13.

BE IT FURTHER RESOLVED that this appointment shall take effect upon the approval of the State Department of Health as per N.J.S.A. 26:8-12 and shall be for a term of three years thereafter.

Certified to be a true copy of a Resolution
adopted by the Municipal Council of the City
of Rahway at the duly held Meeting on the
12th day of August 2019.


Rayna E. Harris, City Clerk

Consent Agenda

Motion: Cox

Second: Brown

YES: Councilmembers Brown, Cox, Gibilisco,
Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-183-19

Date of Adoption: August 12, 2019

RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO JAMES P. NOLAN & ASSOCIATES TO PROVIDE LEGAL SERVICES RELATED TO EMPLOYMENT PRACTICES FOR THE CITY OF RAHWAY

WHEREAS, under the provisions of P.L. 2004, c.19, known as the “New Jersey Local Unit Pay-To-Play Law,” the City conducted a fair and open process to select a firm to provide legal services; and

WHEREAS, a Request for Qualifications under the “fair and open” process was solicited in compliance with N.J.S.A.19:44-A-20.4 et seq; and


WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that resolutions authorizing the award of contracts for a professional service be publicly advertised.

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

1. James P. Nolan & Associates has submitted a response to the Request for Qualifications for Legal Services to the City of Rahway; and
2. James P. Nolan & Associates has extensive experience in the provision of legal services related to employment practices; and
3. James P. Nolan & Associates has proposed a fee of \$185.00/hour not to exceed \$8,000.00 for legal services; and
4. The contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5) and under the fair and open process of the Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20.4).

NOW, THEREFORE, BE IT RESOLVED, that Mayor and City Clerk are hereby authorized to execute any and all documents related to said engagement.

**Certified to be a true copy of a Resolution
adopted by the Municipal Council of the City
of Rahway at the duly held Meeting on the
12th day of August 2019.**


Rayna E. Harris, City Clerk

Consent Agenda

Motion: Cox

Second: Brown

YES: Councilmembers Brown, Cox, Gibilisco,
Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-184-19

Date of Adoption: August 12, 2019

RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO B&W CONSTRUCTION CO. OF NJ INC., FOR SEWER SYSTEM IMPROVEMENTS ON WEST INMAN AVENUE, PURSUANT TO N.J.S.A. 40A:11-6

WHEREAS, N.J.S.A. 40A:11-6(b) states that “Upon the furnishing of such goods or services...the contractor furnishing such goods or services shall be entitled to be paid therefor and the contracting unit shall be obligated for said payment...”; and

WHEREAS, a condition exists affecting the public health, safety, or welfare requiring the immediate delivery of goods or services; and

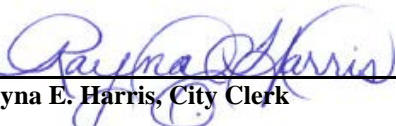
WHEREAS, due to a damaged sewer pipe in the area of 384 West Inman Avenue, a sinkhole within the roadway formed creating a very hazardous condition along and across the pavement of West Inman Avenue; and

WHEREAS, B&W Construction Co. of NJ Inc. (the “Contractor”) submitted a bid to repair the sewer system on West Inman Avenue; and

WHEREAS, the work included the excavation of the area of the sinkhole, repairs to 40 linear feet of sewer pipe, 40 square yards of pavement restoration and restorations to the disturbed areas.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that a contract with B&W Construction Co. of NJ Inc, for said work in the amount of One Hundred Six Thousand One Hundred Thirty-Five Dollars 50/00 Cents (\$106,135.50) is hereby ratified and authorized pursuant to N.J.S.A, 40:11-6(b).

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 12th day of August 2019.



Rayna E. Harris, City Clerk

Motion: Farrar

Second: Miles

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-185-19

Date of Adoption: August 12, 2019

RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO B&W CONSTRUCTION CO. OF NJ INC., FOR SEWER SYSTEM IMPROVEMENTS ON ELM AVENUE, PURSUANT TO N.J.S.A. 40A: 11-6

WHEREAS, N.J.S.A. 40A:11-6(b) states that “Upon the furnishing of such goods or services...the contractor furnishing such goods or services shall be entitled to be paid therefor and the contracting unit shall be obligated for said payment...”; and

WHEREAS, a condition exists affecting the public health, safety, or welfare requiring the immediate delivery of goods or services; and

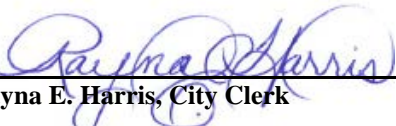
WHEREAS, due to a damaged sewer pipe in the area of 356 Elm Avenue, a sinkhole within the roadway formed creating a very hazardous condition along and across the pavement of Elm Avenue; and

WHEREAS, B&W Construction Co. of NJ Inc. (the “Contractor”) submitted a bid to repair the sewer system on Elm Avenue; and

WHEREAS, the work included the excavation of the area of the sinkhole, repairs to the existing sewer pipe, 18 square yards of pavement restoration and restorations to the disturbed areas.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that a contract with B&W Construction Co. of NJ Inc, for said work in the amount of Thirty-Four Thousand Three Hundred Dollars (\$34,300.00) is hereby ratified and authorized pursuant to N.J.S.A, 40:11-6(b).

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 12th day of August 2019.


Rayna E. Harris, City Clerk

Motion: Gibilisco

Second: Cox

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-188-19

Date of Adoption: August 12, 2019

RESOLUTION AUTHORIZING THE RETURN OF PERFORMANCE BOND AND FINAL PAYMENT FOR THE "RAHWAY SENIOR CENTER ROOF REPLACEMENT PROJECT" TO VMG GROUP


WHEREAS, on file in the City Clerk's office is a Maser Consulting Engineering letter dated July 17, 2019 with regard to the release of VMG Group. Performance Bond and Final Payment; and

WHEREAS, the Maintenance Bond has been reviewed and approved by the City Attorney's Office and Maser Consulting recommends the release of VMG Group. Performance Bond and final payment in the amount of \$12,531.60.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the Treasurer is authorized and directed to return the Performance Bond and final payment in the amount of \$12,531.60 posted for the Senior Center Roof Replacement Project by VMG Group.

BE IT FURTHER RESOLVED that the Performance Bond and final payment in the amount of \$12,531.60 be returned to VMG Group, 288 Cox Street, Roselle, NJ 07203.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 12th day of August 2019.


Rayna E. Harris, City Clerk

Consent Agenda

Motion: Cox

Second: Brown

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-189-19

Date of Adoption: August 12, 2019

AUTHORIZING REJECTION OF ALL BIDS SUBMITTED FOR 2019 ROAD RESURFACING PROGRAM AND AUTHORIZING THE RE-BID OF SAME

WHEREAS, the City of Rahway (the "City") requires road resurfacing on certain roads for the City; and

WHEREAS, the City prepared and issued a bid specification package and publicly advertised for bids for the 2019 Rahway Road Resurfacing Program; and

WHEREAS, the City received bids from DLS Contracting Inc., Esposito Construction, Top Line Construction Corp. and P&A Construction Inc; and

WHEREAS, the bid of DLS Contracting, the apparent low bidder, must be rejected pursuant to N.J.S.A. 40A:11-23.2 (d.) for failure to provide a mandatory item, which is deemed a fatal defect under the statute and therefore must be disqualified; and

WHEREAS, pursuant to N.J.S.A. 40A:11-13.2, the City may reject all bids, among other reasons, if the lowest bid substantially exceeds the cost estimate for the goods and services or if the lowest bid substantially exceeds the contracting unit's appropriation for the goods and services; and

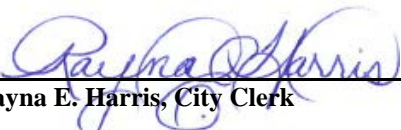
WHEREAS, the remaining bids received from P&A Construction, Esposito Construction and Top Line Construction Corp. exceeded the cost estimate for the goods and services and substantially exceeded the City's appropriation for the Project; and

WHEREAS, the City would like to reject the remaining bids and authorize a re-bid of the 2019 Rahway Road Resurfacing Program.

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

1. The City rejects all the bids received for the 2019 Rahway Road Resurfacing Program pursuant to N.J.S.A. 40A:11-13.2 and 40A:11-23.2 (d.)
2. The City hereby authorizes the re-bid for the 2019 Rahway Road Resurfacing Program.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 12th day of August 2019.


Rayna E. Harris, City Clerk

Motion: Farrar

Second: Cox

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-191-19

Date of Adoption: August 12, 2019

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AND HOLD HARMLESS AGREEMENT FOR THE USE OF THE UNION COUNTY LEAF COMPOSTING FACILITY

WHEREAS, the County of Union has a leaf composting facility available to Union County Municipalities; and

WHEREAS, the City of Rahway desires to utilize the Union County leaf composting facility for the leaf collection season as a backup to its current contract with the City of Linden; and

WHEREAS, the current 2019 rate is established as \$2 per yard – loose and \$4 per yard - compacted; and

WHEREAS, the City of Rahway agrees to deliver its leaves to the County Conservation Center any time between Monday-Saturday from 7:00 a.m.-3:00 p.m.; and

WHEREAS, the City may use biodegradable paper bags; and

WHEREAS, grass clippings, wood chips, brush and small tree parts will not be accepted, nor will cans, paper, contaminated material and other debris; and

WHEREAS, the City of Rahway agrees to follow directions and adhere to the regulations governing the operation of the Conservation Center.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey does hereby authorize the Mayor, or Business Administrator as the Mayor's designee, and City Clerk to enter into a Memorandum of Understanding and Hold Harmless Agreement kept on file in the City Clerk's Office for the use of the Union County Leaf Composting Facility.

**Certified to be a true copy of a Resolution
adopted by the Municipal Council of the City
of Rahway at the duly held Meeting on the
12th day of August 2019.**



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Cox

Second: Brown

YES: Councilmembers Brown, Cox, Gibilisco,
Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-192-19

Date of Adoption: August 12, 2019

RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF 365-1 THROUGH 365-3 (SIDEWALK ENCUMBRANCES) AND 365-50 THROUGH 365-51 (CLOSING OF STREETS) OF THE CODE OF THE CITY OF RAHWAY FOR THE 2019 CHERRY STREET SOIREE EN BLANC


WHEREAS, on Sunday, August 25, 2019 the Rahway Arts and Business Partnership will be sponsoring its first Cherry Street Soiree en Blanc; 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 a portion of a street be closed.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Rahway hereby authorizes that the provisions of Chapters 365-1 through 365-3 (Sidewalk Encumbrances) are suspended between the hours of 5 p.m. until 10:30 p.m. on August 25, 2019 on East Cherry Street between Irving Street leading up to the Monroe Street extention.

BE IT FURTHER RESOLVED that the streets listed above also be closed during the same date and time in accordance with Chapter 365-50 and 365-51 of the Code of the City of Rahway.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 12th day of August 2019.


Rayna E. Harris, City Clerk

Consent Agenda

Motion: Cox

Second: Brown

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-193-19

Date of Adoption: August 12, 2019

RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF 365-1 THROUGH 365-3 (SIDEWALK ENCUMBRANCES) AND 365-50 THROUGH 365-51 (CLOSING OF STREETS) OF THE CODE OF THE CITY OF RAHWAY (WORD OF LIFE APOSTOLIC CENTER ANNUAL BACK TO SCHOOL EVENT)

WHEREAS, on August 24, 2019 Word of Life Apostolic Center, Inc. will be conducting its annual Back to School event at 80 Elm Avenue; and

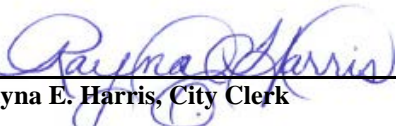
WHEREAS, it has been requested that provisions of Chapters 365-1 through 365-3 of the Code of the City of Rahway be temporarily suspended and certain streets be closed.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Rahway hereby authorizes that the provisions of Chapters 365-1 through 365-3 (Sidewalk Encumbrances) are suspended between the hours of 9:00 a.m.- 5:00 p.m. on August 24, 2019 on the following street:

Elm Avenue between Irving and Campbell Streets

BE IT FURTHER RESOLVED that the street listed above also be closed during the same date and time in accordance with Chapter 365-50 and 365-51 of the Code of the City of Rahway.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 12th day of August 2019.



Rayna E. Harris, City Clerk

Motion: Farrar

Second: Brown

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-194-19

Date of Adoption: August 12, 2019

RESOLUTION AUTHORIZING A CAPITAL BUDGET AMENDMENT

WHEREAS, the local budget for the Calendar Year 2019 has been adopted; and

WHEREAS, it is desired to amend the adopted capital budget section for CY 2019.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, that the following amendment to the adopted capital budget be made:

FROM

CAPITAL BUDGET (CURRENT YEAR ACTION)		2019						
Project	Estimated Total Cost	Amount Reserved Prior Years	Planned funding Services for Current Year					To be Funded in Future Years
			2019 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants	Debt Authorized	
Annual Sinkhole Repairs	250,000			-			250,000	
	-			-			-	
	-			-			-	
	-			-			-	
	-			-			-	
	-			-			-	
Total All Projects	250,000	-	-	-	-	-	250,000	-

FROM

Anticipated Project Schedule and Funding Requirements								
Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Year					
			SFY 2019	SFY 2020	SFY 2021	SFY 2022	SFY 2023	SFY 2024
Annual Sinkhole Repairs	250,000		250,000		-	-	-	-
	-		-					

	0	-	-						
Total All Projects	250,000	-	250,000	-	-	-	-	-	-

FROM

Summary of Anticipated Funding Sourced and Amounts										
Project	Estimated Total Cost	Planned funding Services for Current Year						2019		
		Current Year	Future Years	Capital Improvement Fund	Capital Surplus	Grants	General	Self Liquidating	Assessment	School
Annual Sinkhole Repairs	250,000			-			-	250,000		
	0			-			-			
	0			-			-			
Total All Projects	250,000	-	-	-	-	-	-	250,000	-	-

TO

CAPITAL BUDGET (CURRENT YEAR ACTION)		2019						
Project	Estimated Total Cost	Amount Reserved Prior Years	Planned funding Services for Current Year				Debt Authorized	To be Funded in Future Years
			2019 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants		
Annual Sink Hole Repairs	500,000			-		-	500,000	

Acquisition of Senior Citizen Buses	150,000			7,500	-		142,500	-
Total All Projects	650,000	-	-	7,500	-	-	642,500	-

TO

Anticipated Project Schedule and Funding Requirements								
Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Year					
			SFY 2019	SFY 2020	SFY 2021	SFY 2022	SFY 2023	SFY 2024
Annual Sink Hole Repairs	500,000		500,000					
Acquisition of Senior Citizen Buses	150,000		150,000					
Total All Projects	650,000	-	650,000	-	-	-	-	-

TO

Summary of Anticipated Funding Sourced and Amounts										
Project	Estimated Total Cost	Planned funding Services for Current Year					2019			
		Current Year	Future Years	Capital Improvement Fund	Capital Surplus	Grants	General	Self Liquidating	Assessment	School
Annual Sink Hole Repairs	500,000			-		-	-	500,000		
Acquisition of Senior Citizen Buses	150,000			7,500			142,500	-		

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-195-19

Date of Adoption: August 12, 2019

RESOLUTION AUTHORIZING AN EXECUTIVE CLOSED SESSION

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-7, et seq., commonly known as the “Sunshine Law”, requires that Municipal Council meetings be open to the public except for the discussion of certain subjects; and

WHEREAS, the “Sunshine Law” requires that a closed session be authorized by resolution;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the following portion of this meeting shall be closed to the public and the meeting shall be resumed at the end of the closed session; and

BE IT FURTHER RESOLVED that the subjects to be discussed and the time of public release of the minutes of the closed session are indicated below:


SUBJECT MATTER

1. Matters related to personnel
2. Matters related to pending or anticipated litigation
3. Matters falling within the attorney-client privilege

TIME WHEN AND THE CIRCUMSTANCES UNDER WHICH THE SUBJECT MATTER CAN BE DISCLOSED:

Upon authorization by the City Attorney/ Director of Law as required by law

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 12th day of August 2019.



Rayna E. Harris, City Clerk

Motion: Cox

Second: Brown

YES: Councilmembers Brown, Cox, Gibilisco, Miles, Wenson Maier, and Farrar

ABSENT: Councilmembers Baker, Bresenhan, and Mojica