

**MINUTES
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
REORGANIZATION & PRE-MEETING CONFERENCE
JANUARY 7, 2020 ~ 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*

Councilmember Farrar called the meeting to order at 7:08 p.m. and read the Roll Call.

ROLL CALL

Present: Rodney Farrar, Michael Cox, Robert “Bob” Bresenhan Jr.,
David Brown, Danielle “Danni” Newbury, Joseph D. Gibilisco,
James Baker, Joanna Miles, Jeremy E. Mojica

Absent: None

PLEDGE OF ALLEGIANCE and INVOCATION

Councilmember Farrar led the Pledge of Allegiance.
Councilmember David Brown offered the invocation.

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.

ELECTION OF 2020 PRESIDING OFFICERS

- Election of Council President and Oath of Office

Councilmember Farrar stated that the first order of business was the election of the Council President for the year 2020 and asked for nominations.

Councilmember Mojica was nominated.

Motion was made by Councilmember Newbury, seconded by Councilmember Gibilisco to elect Councilmember Mojica to the position of Council President. The Motion was adopted by the following vote:

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

ABSENT: None

The City Clerk declared the motion carried.

- Election of Council Vice President and Oath of Office

Council President Mojica stated that the first order of business was the election of the Council Vice President for the year 2020 and asked for nominations.

Councilmember Miles was nominated.

Motion was made by Councilmember Gibilisco, seconded by Councilmember Cox to elect Councilmember Miles to the position of Council Vice President. The Motion was adopted by the following vote:

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

ABSENT: None

Council President Mojica declared the motion carried.

REORGANIZATION RESOLUTIONS

AR-01-20	RESOLUTION AUTHORIZING LEGAL NEWSPAPERS
AR-02-20	RESOLUTION TO DESIGNATE THE PUBLIC AGENCY COMPLIANCE OFFICER
AR-03-20	RESOLUTION AUTHORIZING LEGAL DEPOSITORIES FOR PUBLIC MONIES
AR-04-20	RESOLUTION AUTHORIZING THE TEMPORARY BUDGET FOR CY 2020
AR-05-20	RESOLUTION TO ADOPT A CASH MANAGEMENT PLAN
AR-06-20	RESOLUTION AUTHORIZING THE TRANSFER OF CY 2019 BUDGET APPROPRIATION RESERVES
AR-07-20	RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO RAINONE COUGHLIN MINCHELLO, LLC FOR THE PROVISION OF GENERAL LEGAL SERVICES
AR-08-20	RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO LERCH, VINCI & HIGGINS TO PROVIDE AUDITING SERVICES AND/OR FINANCIAL ADVISOR SERVICES

Motion was made by Councilmember Gibilisco, seconded by Councilmember Bresenhan to adopt Resolutions **AR-01-20 through AR-08-20**. The Motion was adopted by the following vote:

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

ABSENT: None

Council President Mojica declared the motion carried.

PRESENTATIONS

No items were offered.

REVIEW OF AGENDA ITEMS

The Councilmembers discussed all the items to be placed on the Agenda and voted on at the Regular Meeting of January 13, 2020. Council President Mojica assigned the mover and second for each of the ordinances and resolutions listed below.

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

1. An ordinance authorizing the right of entry agreement to construct and maintain scour countermeasures and appurtenances for Hamilton Street Bridge
2. An ordinance creating a Health Department for the City of Rahway (revised)

b. **Resolutions by Department**

1. **Department of Administration**

- i. Resolution to award a professional environmental services contract for site investigation at Block 162, Lots 5, 6, &7
- ii. Resolution to award professional consulting contract for emergency medical services system assessment
- iii. Resolution to award a service contract to provide employee health consulting services
- iv. Resolution authorizing Rahway to join City of Newark, the County of Union, and the municipalities of Elizabeth, Linden, Roselle, Hillside, Union Township, and Plainfield, in their efforts to bring the New York City SOTA homeless family relocation program to a halt, to obtain a full accounting of all families in the program from New York City, to obtain reimbursement for social services and other costs associated with the systematic placement of homeless residents of New York City into communities in New Jersey, and to ensure that these families are provided with the services they need

2. Department of Community Development

- i. Resolution authorizing the execution of a contract between the City of Rahway and Maser Consulting, P.A. for professional engineering services associated with the 2020 road resurfacing, crack sealing and sidewalk improvements
- ii. Resolution authorizing the return of performance bond, acceptance of a maintenance bond and release of final payment for the “2019 Rahway Sidewalk Improvement Project” to Your Way Construction
- iii. Resolution designating an authorized representative to execute all of NJ Dept. of Environmental Protection Permits
- iv. Resolution authorizing an inter-local service Agreement with the Township of Berkeley Heights for health services
- v. Resolution authorizing an inter-local service agreement with the Township of Winfield for health services

3. Department of Recreation and Senior Services

- i. Resolution authorizing the submission of a strategic plan for the Rahway Municipal Alliance grant for fiscal year July 1, 2020 – June 30, 2021 (revised)

4. Department of Revenue and Finance

- i. Resolution authorizing the City to refund money due to the redemption of tax sale certificates for 2016 & 2018
- ii. Resolution authorizing the refund of money due to redemptions after the tax lien sale

5. Office of the City Clerk

- i. Resolution Qualifying Firms for the Service of Conflicts Counsel Services
- ii. Resolution Qualifying Firms for the Service of Special Litigation Counsel for Tax and Other Matters
- iii. Resolution Approving a Professional Services Contract for the Provision of Bond Counsel Services
- iv. Resolution Qualifying Firms for the Service of Financial Advisor
- v. Resolution Qualifying Firms for the Service of Bond Underwriter
- vi. Resolution Qualifying Firms for the Service of Consulting Engineers
- vii. Resolution Qualifying Firms for the Service of Consulting Environmental Engineers
- viii. Resolution Qualifying Firms for the Service of Community Rating System Engineer
- ix. Resolution Approving a Professional Services Contract for A JIF Risk Manager
- x. Resolution Approving a Professional Services Contract for the Provision of Group Health Insurer Advisor and Broker
- xi. Resolution Approving a Professional Services Contract for the Provision of Housing Rehabilitation and Consulting Services Provider
- xii. Resolution Qualifying Firms for the Provision of Grant Writing Services
- xiii. Resolution Approving a Professional Services Contract for the Provision of Graphic and New Media Designers
- xiv. Resolution Qualifying Firms for the Provision of Professional Parking Consultant

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

No items were offered.

REPORTS OF COUNCIL COMMITTEES

No items were offered.

ORDINANCES – FINAL ADOPTION/SECOND READING

O-34-19	AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING 290 Williams Street
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**ORDINANCE
CITY OF RAHWAY, NEW JERSEY**

No. O-34-19

**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 290 Williams Street
North Side- Beginning at a point 200 feet West of the intersection of Main Street extending to a point 22 feet West 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-35-19	AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING 1384 Bryant Street Newbury / Cox
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**ORDINANCE
CITY OF RAHWAY, NEW JERSEY**

No. O-35-19

**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 1384 Bryant Street
West Side- Beginning at a point 112 feet South of the intersection of Central Ave extending to a 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.

MISCELLANEOUS (Unfinished Business)

No items were offered.

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

Quanae Palmer Chambliss; 1650 Columbus Place (Shirley Palmer Way): She spoke on behalf of the Rahway NAACP, thanking the City for the cooperation, collaboration, generosity shown in 2019 and looking forward to the same 2020.

With no one else appearing, Council President Mojica closed the public hearing.

COUNCIL COMMENT: (Three Minutes per Member)

The Councilmembers offered their remarks.

ADJOURNMENT

The meeting was adjourned at 7:40 p.m. without objection on a voice vote.

Approved:

Rayna E. Harris, City Clerk

Jeremy E. Mojica, Council President

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-01-20

Date of Adoption: January 7, 2020


RESOLUTION AUTHORIZING LEGAL NEWSPAPERS

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the Local Source, the Star-Ledger and the Home News Tribune, newspapers circulating in the City of Rahway be newspapers for the City of Rahway, New Jersey for 2020 and that all ordinances, notices, advertisements, or other municipal matters that require publication by the City of Rahway may be published in said newspapers as directed by the Council.

BE IT RESOLVED that all resolutions heretofore adopted designating any of the fiscal newspaper or newspapers for the publication of municipal matters be and the same are hereby repealed and rescinding; and

BE IT FURTHER RESOLVED that the City Clerk be directed to immediately serve the heads of all municipal departments with a copy of this resolution.

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 7th day of January 2020.



Rayna E. Harris, City Clerk

Motion: Gibilisco

Second: Bresenhan

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

ABSENT: None

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-02-20

Date of Adoption: January 7, 2020

RESOLUTION TO APPROVE THE APPOINTMENT OF FRANK C. RUGGIERO TO THE POSITION OF PUBLIC AGENCY COMPLIANCE OFFICER

WHEREAS, the City of Rahway (the “City”) is a public entity that awards contracts to vendors and/or construction contractors and as such is required to comply with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.; and

WHEREAS, in accordance with N.J.A.C. 17:27-3.3, the City must designate an individual to serve as its Public Agency Compliance Officer (“PACO”); and


WHEREAS, the City’s PACO shall serve as a liaison between the Division of Purchase & Property Contract Compliance and the City and shall be the City’s point of contact for all matters concerning implementation and administration of the relevant statutes and regulations; and

WHEREAS, the City’s PACO shall be responsible for administering contracting procedures pertaining to equal employment opportunity regarding the City and vendors and have the authority to recommend changes to effectively support the implementation of all relevant statutes and its regulations; and

WHEREAS, in accordance with N.J.A.C. 17:27-3.3, the City has designated Frank C. Ruggiero, Chief Financial Officer/QPA, to serve as the City’s PACO for 2020; and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that Frank C. Ruggiero is hereby appointed to serve as the City’s PACO for 2020 and to fulfill all of the required statutory and regulatory obligations associated therewith.

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
7th day of January 2020.



Rayna E. Harris, City Clerk

Motion: Gibilisco

Second: Bresenhan

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

ABSENT: None

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-03-20

Date of Adoption: January 7, 2020

RESOLUTION AUTHORIZING LEGAL DEPOSITORIES FOR PUBLIC MONIES

BE IT RESOLVED by the Municipal Council of the City of Rahway that, subject to the provisions of ordinance A-14-84, the following financial institutions are hereby designated legal depositories wherein all public monies and other funds of the City of Rahway shall be kept during the year 2020; and

RAHWAY SAVINGS INSTITUTION, RAHWAY BRANCH

WELLS FARGO BANK – RAHWAY BRANCH

BANK OF AMERICA – RAHWAY BRANCH

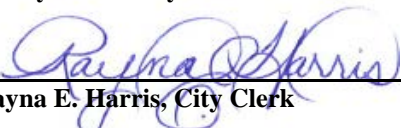
TD BANK – RAHWAY BRANCH

NORTHFIELD SAVINGS BANK – RAHWAY BRANCH

NJ CASH MANAGEMENT FUND – STATE OF NJ

BE IT FURTHER RESOLVED that this resolution is passed in accordance with and by the authority of N.J.S.A 40A: 5-13.

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 7th day of January 2020.



Rayna E. Harris, City Clerk

Motion: Gibilisco

Second: Bresenhan

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

ABSENT: None

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-04-20

Date of Adoption: January 7, 2020

RESOLUTION AUTHORIZING THE TEMPORARY BUDGET FOR CY 2020

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Rahway that the following Temporary Budget for the Calendar Year 2020 is hereby adopted, effective January 1, 2020:

Current Fund	Salaries & Wages	Other Expenses
Department of Administration	78,375	98,125
Mayor	18,000	
Municipal Council	18,750	250
Environmental Commission	1,000	250
City Clerk	33,000	12,500
Financial Administration	113,250	169,939
Revenue Administration	50,750	15,000
Department of Assessment	30,750	14,250
Department of Law	21,750	137,500
Division of Engineering	40,750	104,875
Municipal Court	133,500	8,500
Planning, & Economic Development	46,000	2,500
Planning Board	1,000	1,000
Board of Adjustment	1,000	2,250
Municipal A.B.C Board	1,000	250
Police Department	2,283,750	81,625
Police Dispatch 9-1-1 System	62,500	23,750
Office of Emergency Management	14,250	7,000
Fire Department	1,388,000	49,125
Department of Public Works	713,000	339,750
Solid Waste and Recycling	284,250	328,625
Other Insurance		325,000
Employee Group Insurance		1,912,500
Department of Health and Welfare	94,250	52,750
Senior Services	43,500	30,250
Recreation Department	119,500	58,500
Uniform Construction Code Enforcement	107,250	10,000


Electricity		81,250
Heating Fuels		35,750
Telephone		43,750
Street Lighting		111,750
Street Lighting		111,750
Debt Service		1,500,000
	5,699,125	5,670,314

Water Operating	Salaries & Wages	Other Expenses
Other Expenses		125,000
Management Fee		1,000,000
Debt Service		332,250
		1,457,250

Sewer Operating	Salaries & Wages	Other Expenses
Salaries & Wages	50,000	
Other Expenses		50,000
Sewer Treatment Expenses		998,000
Sewer Permit Fees		17,545
Debt Service		113,000
Social Security System		2,500
	50,000	1,181,045

<u>Parking Operating</u>	<u>Salaries & Wages</u>	<u>Other Expenses</u>
Salaries and Wages	85,000	
Other Expenses		150,000
Debt Service		80,000
	<u>85,000</u>	<u>230,000</u>

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 7th day of January 2020.



 Rayna E. Harris, City Clerk

Motion: Gibilisco

Second: Bresenhan

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

ABSENT: None

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-05-20

Date of Adoption: January 7, 2020

RESOLUTION TO ADOPT A CASH MANAGEMENT PLAN

WHEREAS, NJSA 40A:5-14 of the Local Fiscal Affairs Law requires that every local unit shall adopt a "Cash Management Plan" and shall deposit in an interest-bearing account, all available public funds pursuant to the plan.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Rahway, County of Union, State of New Jersey, hereby adopts the following "Cash Management Plan" policy to be utilized by the City of Rahway until amended.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be filed with the Director of the Division of Local Government Services, Independent Auditor, Chief Financial Officer of the City of Rahway.

CASH MANAGEMENT PLAN OF THE CITY OF RAHWAY, COUNTY OF UNION, NEW JERSEY

I. STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A: 5-14 in order to set forth the basis of deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the City of Rahway ("RRA" or "Agency"), pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Accounts or otherwise invested in Permitted Investments herein after referred to. The intent of the plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to ensure the safety, the liquidity, (regarding its availability for the intended purposes), and the maximum investment return within such limits. The plan is intended to ensure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. DEFINITIONS

"Arbitrage" refers to the rules and regulations governing the issuance of bonds or notes and the reinvestment of the proceeds at higher yield. These regulations are promulgated by the Internal Revenue Service, Regulation 1.103.

"Certificate of Eligibility" is the certification issued by the New Jersey Department of Banking and Insurance, Division of Banking, that a Public Depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, GUDPA.

“GUDPA” requires a bank that accepts public funds to be a public depository. A “Public Depository” is defined as a state bank, a national bank, a savings bank or association which is located in the State of New Jersey, the deposits of which are insured by the Federal Deposit Insurance Corporation, and which received or holds public funds on deposit. A local unit may make deposits in, or purchase certificates of deposit from, banks which are located in New Jersey and which meet the requirements of the “GUDPA”.

“The New Jersey Cash Management Fund.” The New Jersey Division of Investment is authorized pursuant to N.J.S.A. 52-18A-90.4 to establish, maintain and operate, with the approval of the State Investment Council and the State Treasurer, a common trust fund known as the State of New Jersey-New Jersey Cash Management Fund (the “Fund”). The Fund is authorized to accept deposits from all Local Units of government. The Fund is a “common trust” fund pursuant to the statute that created such funds within the jurisdiction of the Division of Investment. According to the enabling legislation, monies of Local Units deposited in the Fund must be invested in obligations and bonds that meet the investment requirements of the statute. These obligations include, among other things, evidences of indebtedness of U.S. corporations. These obligations are less secure than those permitted to Local Units under the Act. Thus, the Fund is riskier than direct investments in federal securities or GUDPA protected deposits by Local Units.

III. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

- A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the City of Rahway.

Checking Account for Operating, Trust or Investment Purposes

- B. The Plan is not intended to cover the deposit and/or investment of the following Funds and Accounts (if applicable) of the City of Rahway.
1. Petty Cash Funds
 2. Change Funds
 3. Cash drawn from a Federal Agency under a letter of credit which cash has to be paid out within 5 working days to a vendor.
 4. Deposit, retainage, or amounts posted by way of bond, held by the City of Rahway, for such things as faithful performance, if the City would be required by law to pay back any interest earned to the provider of the deposit, except where the Agency is required by law or court decision to invest the fund.
 5. Amounts derived from the sale of bonds or notes, only to the extent that a specific written opinion of counsel states that the earning of (full) interest would result in the bonds or notes being classified as an arbitrage (not Federally Tax Exempt) issue pursuant to federal regulations. To the extent that some interest is allowable, it shall be deposited at the most favorable rate obtainable.

IV. DESIGNATION OF OFFICIALS OF THE CITY OF RAHWAY AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS

The Chief Financial Officer, and authorized staff, (The “Designated Officials”) are hereby authorized and directed to deposit and/or invest the Funds referred to in the plan.

V. STANDARDS OF CARE

1. The Designated Officials involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions.
2. The Designated Officials shall disclose any material interests in the financial institutions with which business is conducted and they shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the RRA.
3. The Chief Financial Officer, under the direction of the Business Administrator, is responsible for establishing and maintaining internal control. The controls should ensure that the assets of the Agency are protected from loss, theft, or misuse.

VI. PROCEDURES FOR THE RECEIPT OF MONIES

A. Department Procedures

1. A pre-numbered receipt shall be issued in duplicate for all transactions involving the receipt of money. A copy of the receipt shall be given to the paying party and the duplicate shall be maintained by the receiving department. All payments and receipts must be recorded in detail by the receiving department.
2. All monies collected or received from any source by or on behalf of the City of Rahway shall be deposited within forty eight (48) hours of receipt to the designated bank in accordance with N.J.S.A. 40A : 5-15.
3. All monies received shall be placed in a secured place until forwarded for deposit.
4. No department, division or agency shall engage in the practice of cashing checks of any kind with public funds. Cashing of employee pay checks is prohibited.
5. No department will accept third party checks.

B. Chief Financial Officer (Designated Official)

1. The Chief Financial Officer shall:
 - a. Deposit all monies collected or received from any source by or on behalf of the City of Rahway within forty eight (48) hours of receipt to the designated bank in accordance with N.J.S.A. 40A: 5-15.
 - b. Ensure that all monies deposited are in interest bearing accounts.
 - c. Make recommendations of legal public depositories to the City of Rahway Municipal Council who shall by resolution designate said depositories at the first meeting of the calendar year.
 - d. Ensure that each of the various accounts for which there is a separate bank statement is reconciled with that bank statement on a timely basis.
 - e. Verify that designated official depositories submit to the Chief Financial Officer a copy of the State of New Jersey, Department of Banking and Insurance, Governmental Unit Deposit Protection Act notification of Certificate of Eligibility, which must be filed semi-annually in the Department of Banking as of June 30th and December 31st of each year.

VII. DESIGNATION OF DEPOSITORIES

The Agency Commissioners designate and approve by resolution the banks and financial institutions as official depositories for the Deposit of all public funds referred to in the Plan, including any Certificates of Deposits which are not otherwise invested in “Permitted Investments as provided for in this Plan”.

VIII. AUTHORIZED INVESTMENTS

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America.
2. Government Money Market Mutual Funds.
3. Any Obligations that a Federal Agency or a Federal Instrumentality has issued in accordance with an Act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor.
4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located.
5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase approved by the Division of Investment of the Department of the Treasury for investment by Local Units.
6. Local Government Investment pools.
7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (C.52:18A-90.4)
8. Agreements for the repurchase of fully collateralized securities if:
 - a. The underlying securities are permitted investments pursuant to paragraphs “1” and “3” of this subsection a;
 - b. The custody of collateral is transferred to a third party;
 - c. The maturity of the agreement is not more than 30 days;
 - d. The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (c.17:9-41); and
 - e. A master repurchase agreement providing for the custody and security of collateral is executed. For purposes of the above language, the terms “Government Money Market Mutual Fund” and “Local Government Investment Pool” shall have the following definitions:

GOVERNMENTMONEY MARKET MUTUAL FUND

An Investment company or Investment Trust:

- a. Which is registered with the Securities and Exchange Commission under the “Investment company Act of 1940,” 15 U.S.C. Sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec, 270. 2a-7.
- b. The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270. 2a-7 and
- c. repurchase agreements that are collateralized by such U.S. Government Securities;

and

d. Which has:

- (i) Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
- (ii) Retained an investment advisor registered or exempt from registration with the security and exchange commission pursuant to the “Investment Advisors Act of 1940,” is U.S.C. Sec 806-1 et seq., with experience investing in U.S. Government Securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

“Local Government Investment Pool”. An investment pool:

- a. Which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b. Which is rated in the highest category by a nationally recognized statistical rating organization;
- c. Which is limited to U.S. Government securities that meet the definition of eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that collateralized by such U.S. Government securities.
- d. Which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments.
- e. Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- f. Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a National or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9(C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in an borrowing on such U.S. Government securities.

IX. SAFEKEEPING CUSTODY PAYMENT

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the RRA , then such instrument or security shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to ensure that such Permitted Investments are either received by the City of Rahway or by a third-party custodian prior to or upon the release of the Agency’s funds.

X. REPORTING REQUIREMENTS

On the first day of each month during which this Plan is in effect, the Designated

Officials referred to in Section IV hereof shall supply to the Business Administrator upon request a written report of any Deposits of Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- a. The name of any institution holding funds of the Agency as a Deposit of a Permitted Investment.
- b. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- c. The class or type of securities purchased, or Deposits made.
- d. The book value of such Deposits or Permitted Investment.
- e. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- f. The fees incurred to undertake such Deposits or Permitted Investments.
- g. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- h. All other information which may be deemed reasonable from time to time by the Business Administrator of the City of Rahway.

XI. INDEPENDENT AUDITOR

The City of Rahway Investment practices (including compliance with N.J.S.A. 40A:5-14) and the agreement for banking services and compensation thereof shall be reviewed by the City's Auditor as part of the annual audit, as required by N.J.S.A. 40A:5-4. Where a conflict exists between this Cash Management Plan and State Statute, the applicable State Statute shall apply.


XII. SURETY BONDS

- a. The Chief Financial Officer shall be covered by surety bonds. During the annual audit, the Independent Auditor shall examine said bonds to determine that proper coverage has been obtained.
- b. Staff members of the Chief Financial officer's office shall be covered by a public employee's faithful performances bond in the minimum amount of \$50,000.

XIII. TERM OF PLAN

This Plan shall be in effect from January 1, 2020 to December 31, 2020. Attached to this Plan is a resolution of the Municipal Council of the City of Rahway approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Municipal Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

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 7th day of January 2020.



Rayna E. Harris, City Clerk

Motion: Gibilisco **Second:** Bresenhan

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

ABSENT: None

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No.: AR-06-20

Date of Adoption: January 7, 2020

RESOLUTION AUTHORIZING THE TRANSFER OF CY 2019 BUDGET

WHEREAS, N.J.S.A. 40A:4-59 permits the transfer of budget appropriations between accounts during the first three months of the succeeding year.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the following transfer be authorized:

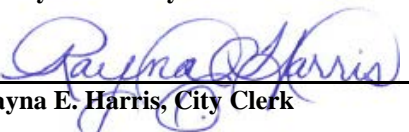
Current Fund Appropriations

<u>From Account</u>	<u>Department</u>	<u>Amount</u>
Other Expenses		
01-203-23-220-199	Group Health Insurance	26,100
		26,100

<u>To Account</u>	<u>Department</u>	<u>Amount</u>
Salaries & Wages		
01-203-20-100-011	Administration	4,100
01-203-28-370-011	Recreation	8,600
01-203-25-250-011	Police 911	11,000

Other Expenses		
01-203-25-265-199	Fire	100
01-203-44-903-000	Social Security	2,300
		26,100

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 7th day of January 2020.


Rayna E. Harris, City Clerk

Motion: Gibilisco

Second: Bresenhan

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

ABSENT: None

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-08-20

Date of Adoption: January 7, 2020

RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO LERCH, VINCI & HIGGINS TO PROVIDE AUDITING SERVICES AND/OR FINANCIAL ADVISOR SERVICES

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 the Municipal Auditor and/or Financial Advisor; and

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

WHEREAS, submissions for this position have been reviewed and the firm Lerch, Vinci & Higgins has been deemed qualified and awarded a contract for Auditing and/or Financial Advisor Services; 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. The professional services contract with Lerch, Vinci & Higgins, 17-17 Route 208, Fair Lawn, NJ, to provide services as the Municipal Auditor and/or Financial Advisor is hereby approved and the Mayor, or Business Administrator as the Mayor’s designee, and City Clerk are authorized to execute same.
2. The estimated value of the contract for 2020 is \$75,000.
3. 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).

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 7th day of January 2020.


Rayna E. Harris, City Clerk

Motion: Gibilisco

Second: Bresenhan

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

ABSENT: None