

MINUTES
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
REGULAR MEETING
February 10, 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)*

Council President Mojica called the meeting to order at 7:07 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, Jeremy E. Mojica
Absent: Joanna Miles

PLEDGE OF ALLEGIANCE and INVOCATION

Council President Mojica 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.

PRESENTATIONS

- o Black History Month 2020

Councilmember Baker read the proclamation.

- o Congenital Heart Defect Awareness Week

Mayor Raymond A. Giacobbe read the proclamation.

EXECUTIVE CLOSED SESSION

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

A motion was made by Councilmember Bresenhan and seconded by Councilmember Farrar to adopt **Resolution AR-42-20** to enter into Executive Closed Session at 7:28 p.m. The Resolution was adopted as follows.

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

Council President Mojica declared the motion carried.

AR-42-20	RESOLUTION AUTHORIZING AN EXECUTIVE CLOSED SESSION <u>SUBJECT MATTER</u> 1. Matters relating to contract negotiation 2. Matters falling within the attorney-client privilege
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RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-42-20

Date of Adoption: February 10, 2020

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 relating to contract negotiation
2. 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.

Motion was made by Councilmember Bresenhan and seconded by Councilmember Cox to conclude the Executive Closed Session and return to the normal order of business at 7:45 p.m.

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

ABSENT: Councilmember Miles

Council President Mojica 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.

Mayor Giacobbe read a brief statement.

REPORTS OF COUNCIL COMMITTEES

No items were offered.

HEARINGS OF CITIZENS: ITEMS ON AGENDA

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

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

APPROVAL OF MINUTES

October 1, 2019 7 p.m.

Pre-Meeting Conference

Minutes: Regular Meeting of February 10, 2020
Approved: July 13, 2020

2 of 15

City of Rahway

October 7, 2019	7 p.m.	Regular Meeting & Executive Closed Session
November 12, 2019	7 p.m.	Pre-Meeting Conference & Executive Closed Session
December 3, 2019	7 p.m.	Pre-Meeting Conference
December 9, 2019	7 p.m.	Regular Meeting

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

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

Council President Mojica declared the motion carried.

CONSENT AGENDA

All items listed with an asterisk (*) are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council Member 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.

Motion made by Councilmember Bresenhan seconded by Councilmember Cox to adopt the **Consent Agenda**. The **Consent Agenda** was adopted by the following vote:

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

Council President Mojica declared the motion carried.

ORDINANCES - FIRST READING

O-03-20	<p>ORDINANCE APPROVING THE APPLICATION OF METRO RAHWAY URBAN RENEWAL, L.L.C. TO EXTEND THE TERM OF ITS TAX EXEMPTION FOR BLOCK 149, LOTS 1, 5, 23, 24 and 25 THROUGH FEBRUARY 28, 2045, AND AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE FINANCIAL AGREEMENT</p> <p>Motion to introduce the above entitled Ordinance O-03-20 on first reading was made by Councilmember Bresenhan, seconded by Councilmember Farrar. The ordinance was adopted by the following vote:</p> <p>YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Gibilisco, Newbury, Mojica ABSENT: Councilmember Miles</p> <p>Council President Mojica declared the motion carried.</p>
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**ORDINANCE
CITY OF RAHWAY, NEW JERSEY**

No. **O-03-20**

ORDINANCE APPROVING THE APPLICATION OF METRO RAHWAY URBAN RENEWAL, L.L.C. TO EXTEND THE TERM OF ITS TAX EXEMPTION FOR BLOCK 149, LOTS 1, 5, 23, 24 and 25 THROUGH FEBRUARY 28, 2045, AND AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE FINANCIAL AGREEMENT

WHEREAS, Metro Rahway Urban Renewal, L.L.C. (the “Entity”) is the fee owner of Lots 1, 5, 23, 24 and 25 in Block 149 (the “Property”) as shown on the official tax maps of the City of Rahway (the “City”); and

WHEREAS, the Property is located within an area designated by ordinance of the City Council (“City Council”) as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “Redevelopment Law”); and

WHEREAS, on March 9, 1998, in accordance with the Redevelopment Law, the City Council adopted the Central Business District Redevelopment Plan (the “Redevelopment Plan”); and

WHEREAS, on or about August 15, 2006, the City entered into a redevelopment agreement for the Property with the Entity’s predecessor-in-interest, Hearthstone Development, LLC, which was subsequently assigned to the Entity (the “Redevelopment Agreement”); and

WHEREAS, on or about March 5, 2013 and July 8, 2013, pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “LTTEL”), the Entity filed an application for a tax exemption for the Property, which was approved by the City Council on September 9, 2013 by Ordinance #O-35-13; and

WHEREAS, on November 13, 2013, the Parties entered into that certain Financial Agreement (“Financial Agreement”) which, inter alia, provided the Entity with a fifteen (15) year tax exemption (the “Tax Exemption”) which commenced on the Annual Service Charge Start Date of March 1, 2015; and

WHEREAS, in accordance with the LTTEL, which permits a maximum tax exemption period of thirty (30) years, the Entity has applied to the City for an amendment to the Financial Agreement to extend the Term of the Tax Exemption for an additional fifteen (15) years (the “Extension Application”); and

WHEREAS, the City makes the following findings: (1) the City has benefited from the redevelopment of the Property and the completion of the Project; (2) the redeveloped Property has generated, and will generate, Annual Service Charge revenue in excess of ad valorem taxation without detriment to the public; (3) the Project created construction jobs during the construction of Rahway

of the Project and has generated and maintained permanent jobs in the City at the Property; (4) the project continues to further the redevelopment objectives of the Redevelopment Plan for the Central Business District Redevelopment Area, and (5) the benefits of extending the Tax Exemption to the statutorily-permitted thirty (30) years significantly outweighs the costs to the City and the public; and (6) the Entity has demonstrated a need to extend the tax exemption to ensure the future financial viability of the Project; and

WHEREAS, the Mayor has recommended that the City Council approve the Extension Application and authorize the execution of the First Amendment to the Financial Agreement.

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

1. The Extension Application is hereby approved pursuant to the LTTEL.

2. The Mayor and City Clerk are hereby authorized to execute an amendment to the Financial Agreement in substantial conformity with the First Amendment appended hereto as Exhibit A.

3. This Ordinance shall take effect in accordance with applicable law.

EXHIBIT A
(First Amendment to Financial Agreement)

O-04-20	<p>AN ORDINANCE AMENDING CHAPTER 5 ADMINISTRATION OF GOVERNMENT, ARTICLE XVII DEPARTMENT OF POLICE, SPECIAL-DUTY JOBS, SALARY AND VEHICLE FEES</p> <p>Motion to introduce the above entitled Ordinance O-04-20 on first reading was made by Councilmember Mojica, seconded by Councilmember Gibilisco. The ordinance was adopted by the following vote:</p> <p>YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Gibilisco, Newbury, Mojica ABSENT: Councilmember Miles</p> <p>Council President Mojica declared the motion carried.</p>
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ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. **O-04-20**

**AN ORDINANCE AMENDING CHAPTER 5 ADMINISTRATION OF GOVERNMENT,
ARTICLE XVII DEPARTMENT OF POLICE, SPECIAL-DUTY JOBS, SALARY AND
VEHICLE FEES**

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 5: Administration of Government, § 5-71: **Special-Duty jobs, salary and vehicle fees**

Add:

Section K.

The City may choose to utilize a secondary service to administrate and perform the above actions related to the off-duty employment process. These actions include but are not limited to: Communicating with said person or company to schedule off-duty officers, Scheduling the Officers for off- duty assignments, invoicing a person of company and receiving escrow and or payments from said person or company in a matter set forth by the secondary service provider. The Secondary service provider may charge an additional fee of up to (10) ten percent for services that are above and in addition to the fee structure stated above, and utilize business type collection rules as set forth in the contract between the City and the secondary service provider.

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-05-20	<p>AN ORDINANCE OF THE CITY OF RAHWAY, COUNTY OF UNION, NEW JERSEY, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A FIRST AMENDMENT TO THE AMENDED AND RESTATED FINANCIAL AGREEMENT BETWEEN THE CITY OF RAHWAY AND DORNOCH RAHWAY II URBAN RENEWAL, LLC</p> <p>Motion to introduce the above entitled Ordinance O-05-20 on first reading was made by Councilmember Mojica, seconded by the City Council. The ordinance was adopted by the following vote:</p> <p>YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Gibilisco, Newbury, Mojica ABSENT: Councilmember Miles</p> <p>Council President Mojica declared the motion carried.</p>
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ORDINANCE CITY OF RAHWAY, NEW JERSEY

No. **O-05-20**

AN ORDINANCE OF THE CITY OF RAHWAY, COUNTY OF UNION, NEW JERSEY, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A FIRST AMENDMENT TO THE AMENDED AND RESTATED FINANCIAL AGREEMENT BETWEEN THE CITY OF RAHWAY AND DORNOCH RAHWAY II URBAN RENEWAL, L.L.C.

WHEREAS, the Municipal Council of the City of Rahway (the “Council”) designated certain lands formerly known as Block 318, Lots 1-10, Lot 13, and Lot 23 as an area in need of redevelopment, a portion of which is now known as Block 318, Lot 1.02 and Block 318.01, Lot 1.01 (the “Original Property”), and another portion of which is now known as Block 318.01, Lot 2 (“Lot 2”), and adopted the Amended and Supplemental Central Business District Redevelopment Plan on March 11, 2013; and

WHEREAS, Dornoch Rahway II Urban Renewal, L.L.C. (the “Redeveloper”) is the owner of the Original Property and Lot 2 is currently owned by the City of Rahway (the “City”); and

WHEREAS, the Redeveloper and the Rahway Redevelopment Agency (the “Agency”) are parties to a certain Redevelopment Agreement dated October 1, 2014 (the “2014 Redevelopment Agreement”) governing the development of the Project currently being constructed by the Redeveloper on the Original Property; and

WHEREAS, on October 10, 2018, the Redeveloper and the Agency entered into a First Amendment to Redevelopment Agreement amending the 2014 Redevelopment Agreement (the “First Amendment” and together with the 2014 Redevelopment Agreement, the “2018 Redevelopment Agreement”); and

WHEREAS, the Redeveloper and the City are parties to a certain Amended and Restated Financial Agreement dated November 20, 2018 (the “2018 Financial Agreement”) with respect to the Original Property; and

WHEREAS, pursuant to Ordinance scheduled for introduction simultaneously herewith, the City is seeking to convey Lot 2 to the Redeveloper for the expansion of the Project; and

WHEREAS, upon the adoption of Ordinance, the 2018 Financial Agreement will require amendment to, among other things, incorporate Lot 2 into tax exemption granted thereunder; and

WHEREAS, subsequent to the authorization by the Municipal Council to convey Lot 2 to the Redeveloper, the Redeveloper and Agency intend to execute a Second Amendment to the Redevelopment Agreement to, among other things, incorporate Lot 2 into the Project.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The City Council hereby authorizes the Mayor and Clerk to execute an amendment to the 2018 Financial Agreement in substantial conformity with the First Amendment to the Amended and Restated Financial Agreement appended hereto as Attachment A.
3. If any portion(s) of this Ordinance shall be deemed invalid by a court of competent jurisdiction, such portion(s) shall be severed and the invalidity thereof shall not affect the remaining portions of this Ordinance.
4. This Ordinance shall take effect in accordance with applicable law.

ATTACHMENT A

FIRST AMENDMENT TO AMENDED AND RESTATED FINANCIAL AGREEMENT

O-06-20	<p>AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY-OWNED PROPERTY DESIGNATED AS BLOCK 318.01, LOT 2 ON THE CITY’S OFFICIAL TAX MAP TO DORNOCH RAHWAY II URBAN RENEWAL L.L.C. AND FURTHER AUTHORIZING THE EXECUTION OF CONVEYANCE DOCUMENTS THERETO</p> <p>Motion to introduce the above entitled Ordinance O-06-20 on first reading was made by Councilmember Mojica, seconded by the City Council. The ordinance was adopted by the following vote:</p> <p>YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Gibilisco, Newbury, Mojica ABSENT: Councilmember Miles</p> <p>Council President Mojica declared the motion carried.</p>
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ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-06-20

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY-OWNED PROPERTY DESIGNATED AS BLOCK 318.01, LOT 2 ON THE CITY'S OFFICIAL TAX MAP TO DORNOCH RAHWAY II URBAN RENEWAL L.L.C. AND FURTHER AUTHORIZING THE EXECUTION OF CONVEYANCE DOCUMENTS THERETO

WHEREAS, the City of Rahway (the "City") is the owner of that certain parcel of land designated as Block 318.01, Lot 2 on the City's official tax map (the "Property"); and

WHEREAS, Dornoch Rahway II Urban Renewal, L.L.C. (the "Redeveloper") and the Rahway Redevelopment Agency (the "Agency") are parties to a Redevelopment Agreement dated October 1, 2014 (the "2014 Redevelopment Agreement"); and

WHEREAS, on October 10, 2018, the Redeveloper and the Agency entered into a First Amendment to Redevelopment Agreement amending the 2014 Redevelopment Agreement (the "First Amendment" and together with the 2014 Redevelopment Agreement, the "2018 Redevelopment Agreement"); and

WHEREAS, on or about September 24, 2006, the Rahway Parking Authority (the "RPA") and Dornoch Rahway, LP entered into a purchase and sale agreement regarding Block 318, Lot 23, which agreement has been superseded by an Agreement of Sale between the RPA and the Redeveloper regarding Block 318, Lot 23 dated January 2014 (as now or hereafter amended, the "RPA Contract"); and

WHEREAS, the Redeveloper has commenced construction of Phase 1 of the Project with the opening of the building in Phase I for occupancy in the very near future (for the purposes herein, the "Redevelopment Project"); and

WHEREAS, pursuant to the Amended RPA Contract (as defined in the First Amendment) the Redeveloper agreed to construct eleven (11) public parking spaces on property of the RPA shown on the City Tax Map as Block 318.01, Lot 2 (hereinafter referred to as, "Lot 2"); and

WHEREAS, the RPA has been dissolved by the City and the City has assumed the rights and obligations of the RPA; and

WHEREAS, the Agency and the City have proposed that the Redeveloper dedicate the Monroe Street Extension to the City and relinquish to the City its rights to eleven (11) on-street parking spaces in exchange for the City conveying Lot 2 to the Redeveloper for the purchase price of \$55,000, which Redeveloper intends to use to expand the Phase 2 building to include additional residential units and parking spaces; and

WHEREAS, the City desires to sell and the Redeveloper desires to purchase Lot 2 for the Redevelopment Project at the above-referenced purchase price, which the City deems fair and reasonable.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The City Council hereby authorizes the conveyance of Block 318.01, Lot 2 to Dornoch Rahway II Urban Renewal, L.L.C. for the purchase price of \$55,000, which will be used for the Redevelopment Project.
3. The Mayor and Clerk are hereby authorized to execute any and all documents necessary for the conveyance of the Property, which shall include the execution of the conveyance agreement in substantial conformity with the Purchase and Sale Agreement appended hereto as Attachment A.
4. If any portion(s) of this Ordinance shall be deemed invalid by a court of competent jurisdiction, such portion(s) shall be severed and the invalidity thereof shall not affect the remaining portions of this Ordinance.
5. This Ordinance shall take effect in accordance with applicable law.

ATTACHMENT A
PURCHASE AND SALE AGREEMENT FOR LOT 2

Introduction Statement: Having been declared adopted on first reading, the City Clerk is hereby authorized and directed to advertise said notice of introduction and passage according to law. The Public Hearing, second reading, and further action will take place at a Council Meeting on March 9, 2020 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-43-20	RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO T&M ASSOCIATES FOR PROFESSIONAL ENVIRONMENTAL SERVICES FOR THE CITY OF RAHWAY Mojica / City Council
*	AR-44-20	RESOLUTION AUTHORIZING A PURCHASE OF A PASSENGER BUS UTILIZING THE HOUSTON-GALVESTON AREA COUNCIL PURCHASING PROGRAM Mojica / Newbury
*	AR-45-20	RESOLUTION AUTHORIZING THE MAYORS COUNCIL FOR RAHWAY RIVER WATERSHED FLOOD CONTROL MUNICIPAL COST SHARING AGREEMENT FY2020 Newbury / Farrar
*	AR-46-20	RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO T&M ASSOCIATES FOR PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES FOR CITY OF RAHWAY Gibilisco / Bresenhan

Department of Community Development

*	AR-47-20	RESOLUTION AUTHORIZING THE RELEASE OF ON-SITE AND OFF-SITE PERFORMANCE BONDS TO N.A.T.C. DONUTS, INC. FOR BLOCK 107, LOT 4.01, 926 ST. GEORGES AVENUE Newbury / Farrar
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Police Department

* AR-48-20	RESOLUTION AWARDING A CONTRACT TO BLUE DIAMOND SOLUTIONS INC. FOR LOCAL AREA NETWORK (LAN) MANAGEMENT Mojica / Farrar
* AR-49-20	RESOLUTION AWARDING A CONTRACT TO LAW SOFT INC. FOR SUPPORT AND MAINTENANCE OF LAWSOFT CAD/RMS SOFTWARE Bresenhan / Gibilisco

Department of Public Works

* AR-50-20	RESOLUTION AUTHORIZING PARTICIPATION OF THE CITY OF RAHWAY IN THE 2020 “GREENING UNION COUNTY” GRANT PROGRAM Mojica / City Council
* AR-51-20	RESOLUTION AUTHORIZING THE FILING OF A RECYCLING TONNAGE GRANT FOR THE YEAR 2019 Newbury / Farrar

Department of Revenue and Finance

* AR-52-20	RESOLUTION AUTHORIZING THE TRANSFER OF CY 2019 BUDGET APPROPRIATION RESERVES Gibilisco / Bresenhan
* AR-53-20	RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR ABANDONED & VACANT PROPERTY CODE ENFORCEMENT REQUIRED BY NJSA 40:48-2.12S Farrar / Newbury
* AR-54-20	RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR STORM RECOVERY TRUST FUND REQUIRED BY PL2013, C.271 AND NJS 40A: 4-62.1 Farrar / Newbury
* AR-55-20	RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE CY 2019 Bresenhan / Gibilisco
* AR-56-20	RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES FOR 2009, 2018 & 2019 TAX LIENS Newbury / Farrar

Office of the City Clerk

* AR-57-20	AMENDING RESOLUTION AR-27-20 QUALIFYING FIRMS FOR THE SERVICE OF CONSULTING ENVIRONMENTAL ENGINEERS Bresenhan / Gibilisco
* AR-58-20	RESOLUTION APPOINTING MUNICIPAL REPRESENTATIVES TO THE COUNTY OF UNION COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE Mojica / Newbury
* AR-59-20	RESOLUTION APPOINTING MEMBERS OF THE UNION COUNTY SOLID WASTE ADVISORY COUNCIL Mojica / City Council

ORDINANCES – FINAL ADOPTION/SECOND READING

O-01-20	AN ORDINANCE AUTHORIZING THE RIGHT OF ENTRY AGREEMENT TO CONSTRUCT AND MAINTAIN SCOUR COUNTERMEASURES AND APPURTENANCES FOR HAMILTON STREET BRIDGE Farrar / Newbury Motion to TABLE the above entitled Ordinance O-01-20 on second reading was made by Councilmember Mojica , seconded by the entire Councilmember Cox by the following vote:
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YES:	Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Gibilisco, Newbury, Mojica
ABSENT:	Councilmember Miles
Council President Mojica declared the motion carried.	

TABLED
ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-01-20

AN ORDINANCE AUTHORIZING THE RIGHT OF ENTRY AGREEMENT TO CONSTRUCT AND MAINTAIN SCOUR COUNTERMEASURES AND APPURTENANCES FOR HAMILTON STREET BRIDGE

WHEREAS, the City of Rahway (the “City”) is the owner of certain real property located (i) at 276 Hamilton Street (Block 167 Lot 45); (Hamilton Street Bridge); and

WHEREAS, a in order to construct and maintain the Scour Countermeasures and Appurtenances for Union County Structure Ra-29, which is the Hamilton Street Bridge (the “Bridge”), the County of Union determined that Scour Countermeasures and Appurtenances need to be installed in order to maintain the Bridge’s utility, safety and stability; and

WHEREAS, the County of Union (the “County”) will perform all the work necessary to replace, construct, repair and maintain the Scour Countermeasures and Appurtenances; and

WHEREAS, in order to install and maintain the Scour Countermeasures and Appurtenances, the County requires a Right of Entry on 276 Hamilton Street (Block 167, Lot 45); and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the City is authorized to adopt ordinances for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b)(1), the City is authorized to convey, by ordinance, any real property or interests therein, not needed for public use, to any political subdivision, body corporate and politic of the State of New Jersey; and

WHEREAS, City has determined that it would serve a public purpose and be to the benefit of the public health and safety to authorize a Right of Entry to the County in order that the County may undertake the necessary work to maintain the Bridge’s utility, safety and stability.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Rahway, County of Union and State of New Jersey that:

1. The City is hereby authorized to convey to the County a right of entry across portions of the Property in order that the County may undertake the necessary work to maintain the Bridge’s utility, safety and stability, and temporary construction easements across portions of the Property for the purpose of entering upon the remaining portions of the Property to

locate and subsequently remove certain survey markers related to the proposed construction of the Scour Countermeasures and Appurtenances.

2. The Mayor and City Clerk are hereby authorized to execute the Right of Entry Agreement in substantially the form appended hereto as Attachment "A", which set forth in further detail the respective duties and obligations of the parties.
3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.
4. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

O-02-20	<p>AN ORDINANCE AMENDING THE ORGANIZATIONAL STRUCTURE TO ESTABLISH THE HEALTH DEPARTMENT FOR CITY OF RAHWAY</p> <p>AN ORDINANCE AMENDING THE ORGANIZATIONAL STRUCTURE TO ESTABLISH THE HEALTH DEPARTMENT FOR CITY OF RAHWAY Baker / Gibilisco</p> <p>Motion to TABLE the above entitled Ordinance O-02-20 on second reading was made by Councilmember Cox, seconded by the entire Councilmember Farrar by the following vote:</p> <p>YES: Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Gibilisco, Newbury, Mojica ABSENT: Councilmember Miles</p> <p>Council President Mojica declared the motion carried.</p>
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TABLED
ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-02-20

AN ORDINANCE AMENDING THE ORGANIZATIONAL STRUCTURE TO ESTABLISH THE HEALTH DEPARTMENT FOR CITY OF RAHWAY

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

CHAPTER 5, ARTICLE 1, SECTION 1(B) – Organization of City Government: Offices, departments.

ADD

(9) Health Department

**CHAPTER 5, ARTICLE 13, SECTION 44 – Department of Community Development:
Organization; Divisions**

ELIMINATE

~~(C) Division of Public Health and Housing~~

ADD

(C) Division of Property Maintenance

ELIMINATE

CHAPTER 5, ARTICLE 13, SECTION 47–DIVISION OF PUBLIC HEALTH AND HOUSING; CITY HEALTH OFFICER AS HEAD; DUTIES

~~Within the Department there shall be a Division of Public Health. The head of the Division of Public Health within the Department of Community Development shall be the City Health Officer. The Division of Public Health shall:~~

~~(1) Administer state laws and City ordinances conferring functions, powers and duties upon a board or department of health or a local health officer.~~

~~(2) Enforce laws and ordinances providing for the prevention and control of disease and make related inspections.~~

~~(3) Administer the laws and ordinances relating to vital statistics.~~

~~(4) Administer a public health nursing service and health education programs.~~

~~(5) Operate public health clinics as authorized by ordinance or general law.~~

~~(6) Administer laws and ordinances relating to housing.~~

ADD

CHAPTER 5, ARTICLE 13, SECTION 47 – Division of Property Maintenance; Division head; Duties

The Division of Housing and Property Maintenance is responsible for enforcing the laws regarding the safety, health and appearance of the City's residences and businesses. In the absence of a Division Head, the Director of Community Development may act as the Division Head.

The Division of Property Maintenance shall consist of Code Enforcement Inspectors, who are responsible for conducting walkarounds and on-demand Property Maintenance inspections of all City properties and enforce Codes to the benefit of public health and welfare. The Inspectors are also to patrol the City's streets and respond to residents' requests for investigation.

The duties of the Division of Property Maintenance include but are not limited to the following:

- 1) Existence of fire hazards
- 2) Impassable walkways
- 3) Lack of essential heat/cool
- 4) Lack of maintenance, deteriorating structures
- 5) Overcrowding of residences
- 6) Registration of vacant properties
- 7) Suspected Infestations
- 8) Trash, litter or debris
- 9) Condition of residential dumpsters
- 10) Unsanitary conditions

AMEND

Chapter 5, Article 13, Section 5-45 – Division of Housing and Building and Code Enforcement; Construction Official as Head; Function

- A.** There shall be within the Department of Community Development a Division of Housing and Building and Code Enforcement, the head of which shall be the Construction Official, who shall be appointed by the Mayor; and prior to his or her appointment, he or she shall possess the qualifications required by law. He or she shall have, exercise, and discharge the duties of the Division of Housing Building and Code Enforcement.

AMEND

- B.** The functions and duties of the Division of Housing and Building and Code Enforcement shall be as follows:
- (1) To perform all the duties of the Construction Official as provided by general law and the ordinances of the City;
 - (2) To make inspections of existing structures and new construction to assure compliance with City ordinances and regulations concerning buildings and construction;
 - (3) To enforce the Uniform Construction Code (NJAC 5:23) in compliance with the New Jersey Department of Community Affairs;
 - (4) Issue certificate of occupancies;
 - (5) Administering contracts relative to housing initiatives;
 - (6) Administer laws and ordinances relating to housing; and
 - (7) To perform related duties as required by the Director and to serve as Construction Code Official.

ADD

CHAPTER 5, ARTICLE 22 – Health Department

Section 1 – Organization; Director as Head: There shall be a Department of Health, the head of which shall be the Director. The Health Officer shall report to the Director. The Health Officer may be appointed as Director.

Section 2 – Powers and Duties:

- (1) Have all the functions, powers, and duties of a local Board of Health under Title 26 of the New Jersey Statutes and Chapter 52 of the New Jersey Administrative Code, except that the Municipal Council shall have and exercise all local legislative powers under the statutes.
- (2) Plan and administer a comprehensive health program, including, without limitation thereto, environmental sanitation, animal control, communicable disease control, child and adult health, and health education, and any other services that may be necessary for the protection of the public health or as required by the Charter or ordinance.
- (3) Administer the licensing of all health-related licenses as authorized by City ordinance.
- (4) Administer a public health nursing service and direct the Health Education programs of the City.
- (5) Administer and enforce local health ordinances pertaining to the licensing of dogs and cats.
- (6) Conduct regular health assessments of the community.
- (7) Administer the laws and ordinances relating to vital statistics.
- (8) Operate public health clinics as authorized by ordinance or general law.

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.

Adoption statement: 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)

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

COUNCIL COMMENT: (Three Minutes per Member)

The Councilmembers offered their remarks.

ADJOURNMENT

The meeting was adjourned at 8:04 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-42-20

Date of Adoption: February 10, 2020

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 relating to contract negotiation
2. 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 10th day of February 2020.



Rayna E. Harris, City Clerk

Motion: Bresenhan

Second: Farrar

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

ABSENT: Councilmember Miles

City of Rahway
Department of Revenue & Finance

February 18, 2020

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

Re: **RESOLUTION AUTHORIZING A PURCHASE OF A PASSENGER BUS
UTILIZING THE HOUSTON-GALVESTON AREA COUNCIL
PURCHASING PROGRAM**

Dear Mayor and Council Members:

Please be advised that there are legally appropriated sufficient funds within the General Capital Fund – Ordinance 0-19-19, Account 04-215-55-694-106, to cover the cost of this contract.

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

Sincerely,



Frank C. Ruggiero
Chief Financial Officer

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-45-20

Date of Adoption: February 10, 2020

RESOLUTION AUTHORIZING THE MAYORS COUNCIL FOR RAHWAY RIVER WATERSHED FLOOD CONTROL MUNICIPAL COST SHARING AGREEMENT-FY 2020

WHEREAS, there exists in the Rahway River Basin, conditions of serious and repeated flood damage with resulting threat to life and property in areas within each municipality which is a party to this Agreement; and

WHEREAS, the Parties intend to act in a cooperative manner to engage in planning, engineering, legal and environmental assessment activities to commence a process to determine the most feasible and effective program for alleviation of these flooding events; and

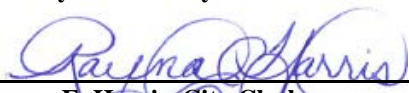
WHEREAS, the Parties simultaneous with the US Army Corps of Engineers and the New Jersey Environmental Protection (DEP) have been working to finalize the US Army Corp's Rahway River Flood Mitigation Study which included a 2012 INTERLOCAL COST SHARING AGREEMENT that is now replaced by this new agreement.

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 Municipal Clerk are hereby authorized to execute the Municipal Cost Sharing Agreement for the Fiscal Year 2020 with the Mayors Council for Rahway River Watershed Flood Control which is annexed hereto and made a part hereof.

BE IT RESOLVED, Millburn Township will act as LEAD Agency for the phase of work set forth in this Agreement.

BE IT FURTHER RESOLVED that, pursuant to the Interlocal Services Act, N.J.S.A. 40A:65-5(b) et seq., such Agreement shall be filed with and open to the public for inspection at the offices of the Municipal Clerk, and such Agreement shall take effect upon the adoption of appropriate resolutions by all parties thereto.

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
10th day of February 2020.



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmember Miles

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-46-20

Date of Adoption: February 10, 2020

RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO T&M ASSOCIATES FOR PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES FOR 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 professional environmental engineering 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, T&M Associates responded to a request for qualifications pursuant to the fair and open process and has been deemed qualified to perform services

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 Council of the City of Rahway as follows:

1. T&M Associates has submitted a response to the Request for Qualifications for professional environmental engineering services and has been deemed qualified to provide professional environmental engineering services to the City of Rahway.
2. T&M Associates has extensive experience in professional environmental engineering services and
3. T&M Associates has proposed a fee in an amount not to exceed \$6,000.00 for a period of one year as detailed in the attached proposal.
4. A contract is hereby awarded to T&M Associates 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 FURTHER RESOLVED, that Mayor and Municipal Clerk are hereby authorized to execute any and all documents related to said engagement and the Municipal Clerk is authorized to advertise this resolution as maybe required.

City of Rahway
Department of Revenue & Finance

February 18, 2020

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

Re: **RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO
T&M ASSOCIATES FOR PROFESSIONAL ENVIRONMENTAL
ENGINEERING SERVICES FOR CITY OF RAHWAY**

Dear Mayor and Council Members:

Please be advised that there are legally appropriated sufficient funds within the Current Fund, Account 01-201-20-165-028, to cover the cost of this contract.

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

Sincerely,

A handwritten signature in black ink, appearing to read "F. C. Ruggiero".

Frank C. Ruggiero
Chief Financial Officer

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-47-20

Date of Adoption: February 10, 2020

RESOLUTION AUTHORIZING THE RELEASE OF ON-SITE AND OFF-SITE PERFORMANCE BONDS TO N.A.T.C. DONUTS, INC. FOR BLOCK 107, LOT 4.01, 926 ST. GEORGES AVENUE

WHEREAS, N.A.T.C Donuts, Inc. has posted an On-Site Performance Bond in the amount of \$195,407.00 and an Off-Site Performance Bond in the amount of \$27,342.00 for site improvements at 926 St. Georges Avenue; and

WHEREAS, the On-Site Performance Surety Bond #BD752521 in the amount of \$195,407.00 may be released as indicated in the attached letter by Bohler dated January 24, 2020; and

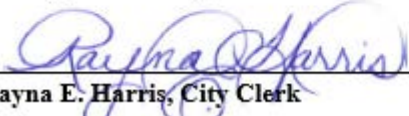
WHEREAS, the Off-Site Performance Surety Bond #BD752522 in the amount of \$27,342.00 may be released as indicated in said Bohler letter, subject to posting an Off-Site Maintenance Bond in the amount of \$4,103.30 as indicated in said Bohler letter; and

WHEREAS, the release of both On-Site and Off-Site Performance Surety Bonds are also subject to payment of any and all outstanding escrow fees as required under Planning Board Application No. 03/12.

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 release On-Site Performance Surety Bond #BD752521 in the amount of \$195,407.00 and Off-Site Performance Surety Bond #BD752522 in the amount of \$27,342.00 posted by N.A.T.C. Donuts, Inc. upon the submittal of a two (2) year Off-Site Maintenance Bond and acceptance of said Maintenance Bond by the City Attorney; and

BE IT FURTHER RESOLVED the said Performance Bonds be given to N.A.T.C. Donuts, Inc. for 926 St. Georges Avenue, Block 107, Lot 4.01, Planning Board application #03/12 for Site Plan.

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 10th day of February 2020.


Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmember Miles

City of Rahway
Department of Revenue & Finance

February 18, 2020

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

Re: **RESOLUTION AWARDING A CONTRACT TO BLUE DIAMOND SOLUTIONS
INC. FOR LOCAL AREA NETWORK (LAN) MANAGEMENT**

Dear Mayor and Council Members:

Please be advised that there are legally appropriated sufficient funds within the Current Fund, Account 01-201-25-250-028, to cover the cost of this contract.

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

Sincerely,

A handwritten signature in black ink, appearing to read "F. C. Ruggiero".

Frank C. Ruggiero
Chief Financial Officer

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-49-20

Date of Adoption: February 10, 2020

RESOLUTION AWARDING A CONTRACT TO LAW SOFT INC. FOR SUPPORT AND MAINTENANCE OF LAWSOFT CAD/RMS SOFTWARE

WHEREAS, the City of Rahway Police Department has a need to contract for the support and maintenance of its CAD/RMS Software; and

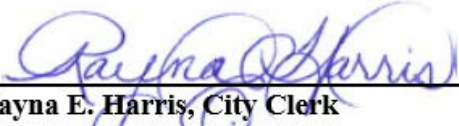
WHEREAS, the anticipated term of this contract is 1 year, beginning March 1, 2020 through February 28, 2021.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, in the County of Union, hereby authorizes the Mayor and Municipal Clerk to enter into a service contract with Law Soft Inc. 15 Hamburg Turnpike, Suite 2, Bloomingdale, NJ 07403, to provide CAD/RMS software support and maintenance in an amount not to exceed \$10,700.00

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated sufficient funds within the Current Fund – Account 01-201-25-250-028, to cover the cost of this contract.

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

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 10th day of February 2020.



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmember Miles

City of Rahway
Department of Revenue & Finance

February 18, 2020

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

Re: **RESOLUTION AWARDING A CONTRACT TO LAW SOFT INC. FOR SUPPORT
AND MAINTENANCE OF LAWSOFT CAD/RMS SOFTWARE**

Dear Mayor and Council Members:

Please be advised that there are legally appropriated sufficient funds within the Current Fund,
Account 01-201-25-250-028, to cover the cost of this contract.

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

Sincerely,



Frank C. Ruggiero
Chief Financial Officer

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-50-20

Date of Adoption: February 10, 2020

RESOLUTION AUTHORIZING PARTICIPATION OF THE CITY OF RAHWAY IN THE 2020 "GREENING UNION COUNTY" GRANT PROGRAM

WHEREAS, the County of Union Board of Chosen Freeholders has established a program to plant 4,000 new trees throughout the County over the next several years; and,

WHEREAS, under the program guidelines the County will match every tree purchased by each participating municipality; and,

WHEREAS, the City of Rahway has been designated as a Tree City USA and maintains an active program to plant new trees on an annual basis; and,

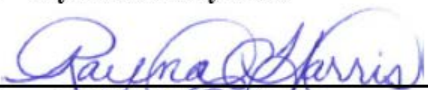
WHEREAS, the City intends to use the Greening Union County grant funding to purchase a quantity of 30 trees, 15 of which will be paid for through the grant funding of \$4,500.00 and 15 of which will be paid for by the City of Rahway in the amount of \$4,500.00 as the 50% "match", for a total cost of \$9,000; and,

WHEREAS, funds included in the CY 2020 budget are available to participate in the Greening Union County Grant Program which will allow Union County to double the number of trees planted this year in Rahway.

NOW, THEREFORE BE IT RESOLVED, that the Municipal Council of the City of Rahway, County of Union, State of New Jersey, hereby approves participation in the 2020 Greening Union County Grant Program.

BE IT FURTHER RESOLVED that the County of Union Board of Chosen Freeholders is commended for continuing this important project.

**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
10th day of February 2020.**



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmember Miles

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-51-20

Date of Adoption: February 10, 2020

RESOLUTION AUTHORIZING THE FILING OF A RECYCLING TONNAGE GRANT FOR THE YEAR 2019

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

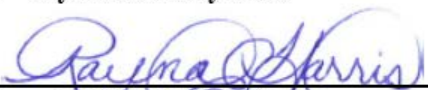
WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the Recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to; making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, Michael Smalling, Recycling Coordinator for the City of Rahway, is designated as the individual authorized to ensure that the City of Rahway is in compliance with the regulatory requirements as a condition for applying for a tonnage grant and that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, that the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and Energy, Office of Recycling for the year 2019 is hereby endorsed.

**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
10th day of February 2020.**



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmember Miles

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-53-20

Date of Adoption: February 10, 2020

RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR ABANDONED & VACANT PROPERTY CODE ENFORCEMENT REQUIRED BY NJSA 40:48-2.12S

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, NJSA 40:48-2.12s provides for receipt of Abandoned & Vacant Property Code Enforcement maintenance fees by the municipality to provide for the operating costs to administer this act; and,


WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Abandoned & Vacant Property Code Enforcement program are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Rahway, County of Union, New Jersey as follows:

The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Abandoned & Vacant Property Code Enforcement -
NJSA 40:48-2.12s

BE IT FURTHER RESOLVED the Clerk of the City of Rahway, County of Union is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**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
10th day of February 2020.**



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmember Miles

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-54-20

Date of Adoption: February 10, 2020

RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR STORM RECOVERY TRUST FUND REQUIRED BY PL2013, c.271 and NJS 40A: 4-62

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, PL2013, c.271 and NJS 40A: 4-62.1 provides for receipt of Storm Recovery Trust Funds by the municipality to provide for the operating costs to administer this act; and,

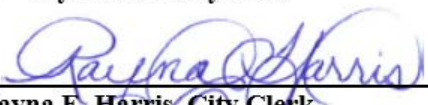
WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Storm Recovery Trust Fund program are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Rahway, County of Union, New Jersey as follows:

The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Storm Recovery Trust Fund
PL2013, c.271 and NJS 40A: 4-62.1

BE IT FURTHER RESOLVED the Clerk of the City of Rahway, County of Union is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**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
10th day of February 2020.**



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmember Miles

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-56-20

Date of Adoption: February 10, 2020

RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES FOR 2009, 2018 & 2019 TAX LIENS

WHEREAS, the City of Rahway held a Tax Lien Sale on June 26, 2009, December 7, 2018 and December 6, 2019 for unpaid Calendar Year Taxes and Municipal Charges, and various Tax Sale Certificates were struck off and sold to the following Lien Holders, on the following Block and Lots; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Clerk be and is hereby authorized and directed to draw a warrant on the Chief Financial Officer in the following names and amounts to refund said money.

BE IT FURTHER RESOLVED that the Chief Financial Officer deliver the checks to the Municipal Tax Collector to be delivered to said persons, after proper notation of the refund has been made on the tax records.

2009 Tax Liens

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
129 04	1105 Greslin Terr	JHN Funding Corp 90 Dayton Ave Bldg. #6C Passaic NJ 07055	\$1,888.00	\$0.00
Certificate 2009-0072				

2018 Tax Liens

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
189 17	1095 Stone Street	Phoenix Funding Inc 1148 Springfield Ave Mountainside NJ 07092	\$27,314.40	\$30,000.00
Certificate 2018-0012				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
26 19	412 Orchard Street	Us Bank C/F PC7 Firstrust Bank US Bank Global Corp TRST 50 South 16 th Street Suite 2050 Philadelphia PA 19102	\$3,267.68	\$500.00
Certificate 2018-0001				

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-57-20

Date of Adoption: February 10, 2020

AMENDING RESOLUTION AR-27-20 QUALIFYING FIRMS FOR THE SERVICE OF CONSULTING ENVIRONMENTAL ENGINEERS


WHEREAS, the City Council of the City of Rahway adopted Resolution AR-27-20 on January 13, 2020.

WHEREAS, Resolution AR-27-20 deemed the following respondents as qualified:

CME Associates	Partner Engineering
Comstock	Peak Environmental
Maser Consulting P.A.	T&M Associates

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that Resolution AR-27-20 is hereby amended to add Prestige Environmental Inc. (PEI) to the list of qualified service providers.

**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
10th day of February 2020.**



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmember Miles

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-59-20

Date of Adoption: February 10, 2020

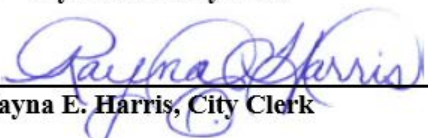
RESOLUTION APPOINTING MEMBERS OF THE UNION COUNTY SOLID WASTE ADVISORY COUNCIL

WHEREAS, Mayor Raymond A. Giacobbe has appointed the following people to the Union County Solid Waste Advisory Council:

Name	Title	Address	Expiration
Michael Smalling	Member	434 Grove Street	12/31/2020
Michael Presley	Alternate	351 Grove Street	12/31/2020

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway that aforementioned appointments to the Union County Solid Waste Advisory Council listed above are 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 10th day of February 2020.



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan Second: Cox

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

ABSENT: Councilmember Miles