
PUBLIC NOTICE

CITY OF RAHWAY MUNICIPAL COUNCIL

REGULAR MEETING OF APRIL 13, 2020

PLEASE TAKE NOTICE that in compliance with the provisions of the “Open Public Meetings Act” of the State of New Jersey, N.J.S.A. 10:4-6 et seq., and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9, 2020, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, the City of Rahway, Municipal Council, in the County of Union, in the State of New Jersey, advises that the public Regular Meeting will be held on April 13, 2020 at 7:00 p.m. by electronic / telephonic communications equipment means and in the Municipal Court/Council Chambers, 1 City Hall Plaza, Rahway, New Jersey. The City does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government only a limited number, not to exceed ten (10), of employees will be physically present in the Municipal Court/Council Chambers. All other City Council Members and professionals will participate by phone.

The purpose of meeting, agenda items as known at the time of this notice, are to conduct the regular monthly business including, but not limited to Public Hearing and Adoption of the CY2020 Municipal Budget, Communications from Mayor, Reports of Council Committees, Reports of City Officers and list of Payment of Bills, Hearing of Citizens, Approval of Minutes, Consent Agenda, Introduction of Ordinances, Adoption of Ordinances, and Approval of Resolutions. Formal action will be taken relative to the Public Agenda posted on the official City website. Please be advised that the Governing Body reserves the right to enter closed executive session per N.J.S.A. 10:4-12.

Due to the COVID-19 pandemic, no members of the public shall be permitted to physically attend the meeting. The public, however, is invited to virtually attend the meeting. Public viewing of the meeting will be available via Comcast channel TV34 and a live streaming service. A link to such live stream, will be posted prior to the start of the meeting on the official City website (www.cityofrahway.org).

Any member of the public wishing to participate in the meeting, can do so by emailing comments regarding items listed on the agenda, Ordinances listed for second reading/final adoption, and communications on any item of City business to the Office of the City Clerk at PublicComment@cityofrahway.com. All emails must be submitted and received by the City Clerk no later than 7:00 p.m. on April 13, 2020. The public may participate in the public hearing on the CY 2020 Budget via conference call by calling the following call-in number (732) 827-2070 and access code 2070. The telephonic conferencing system will be activated at 6:55p.m. on April 13, 2020. Members of the public must state their full name and address for the record. Information for participating in the public comment portion of the meeting will also be posted on the website (www.cityofrahway.org).

The City is using this format to mitigate the chance of exposure to COVID-19, as a part of the City’s ongoing effort to slow the rate of transmission, avoid overwhelming our treatment centers, and to ensure the safety of the residents.

Rayna E. Harris, City Clerk



**CITY OF RAHWAY
NEW JERSEY
MUNICIPAL COUNCIL
AGENDA: REGULAR MEETING
April 13, 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)*

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE and INVOCATION**

3. **OPEN PUBLIC MEETING STATEMENT:**

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.

4. **CY2020 Municipal Budget**
 - a. Public Hearing on the CY2020 Municipal Budget
 - b. Adoption of Budget Resolutions

AR-94-20	RESOLUTION TO AMEND 2020 BUDGET
AR-95-20	RESOLUTION TO APPROVE THE AMENDED CY2020 BUDGET

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

6. **REPORTS OF COUNCIL COMMITTEES**

7. **HEARINGS OF CITIZENS: ITEMS ON AGENDA**
Except Ordinances on Second Reading. (Five Minutes per Speaker)

8. **CONSENT AGENDA**

All items considered routine by the City Council 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.

9. **ORDINANCES - FIRST READING**

10. **RESOLUTIONS**

Department of Administration

AR-96-20	RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND OPEIU LOCAL #32
AR-97-20	RESOLUTION ACCEPTING THE ARTS DISTRICT REDEVELOPMENT PLAN AND FORWARDING IT TO THE RAHWAY CITY PLANNING BOARD FOR REVIEW PURSUANT TO N.J.S.A. 40A:12A-7(f)

Department of Community Development

AR-98-20	RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO BERTO CONSTRUCTION FOR SANITARY SEWER SYSTEM REPAIRS AT 44-48 EAST HAZELWOOD AVENUE, PURSUANT TO N.J.S.A 40A:11-6
AR-99-20	RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO BERTO CONSTRUCTION FOR SEWER SYSTEM IMPROVEMENTS ON OLIVER STREET AND WEST SCOTT AVENUE PURSUANT TO N.J.S.A 40A:11-6

AR-100-20	RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND CME ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH AMTRAK STRUCTURES IMPROVEMENTS (PHASE 1)
AR-101-20	RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND CME ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR WATER TANK ASSESSMENTS
AR-102-20	RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND CME ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH ALLEN STREET CULVERT RETAINING WALL REPAIRS
AR-103-20	RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND MASER CONSULTING, P.A. FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE EAST CHERRY STREET STREETScape PROJECT
AR-104-20	RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND MASER CONSULTING, P.A. FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE BRENNAN FIELD SPLASH PARK IMPROVEMENTS
AR-105-20	RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND AND CASH BOND & ACCEPTANCE OF A MAINTENANCE BOND TO 1255 MAIN STREET, LLC, BLOCK 305, LOT 5.02
AR-106-20	RESOLUTION AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE TOWNSHIP OF WOODBRIDGE FOR SOCIAL WORKER SERVICES

Police Department

AR-107-20	RESOLUTION AUTHORIZING THE PURCHASE OF THREE 2020 CHEVROLET POLICE VEHICLES UTILIZING THE NJ STATE CONTRACT
AR-108-20	RESOLUTION AUTHORIZING THE PURCHASE OF EQUIPMENT (LIGHTS, SIRENS, PRISONER TRANSPORT SYSTEM AND PUSH BUMPER) TO OUTFIT THREE NEW POLICE VEHICLES UTILIZING THE NJ STATE CONTRACT

Department of Revenue and Finance

AR-109-20	RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF VETERAN DEDUCTION FOR THE C/Y 2019
AR-110-20	RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF A SENIOR DEDUCTION FOR THE C/Y 2019
AR-111-20	RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF DISABLED DEDUCTION FOR THE C/Y 2019
AR-112-20	RESOLUTION GRANTING THE EXEMPTION OF TAXES FOR THE PROPERTY KNOWN AND DESIGNATED AS LOT 7 IN CITY BLOCK 223
AR-113-20	RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES FOR 2017, 2018 & 2019 TAX LIENS
AR-114-20	RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR SELF-INSURANCE PROGRAM (N.J.S.A. 40A:10-1 et seq.)
AR-115-20	RESOLUTION INTRODUCING THE CITY OF RAHWAY CY 2020 SPECIAL IMPROVEMENT DISTRICT BUDGET

11. ORDINANCES – FINAL ADOPTION/SECOND READING

O-07-20	AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING (1842 Whittier Street) Farrar / Gibilisco
O-08-20	AN ORDINANCE AMENDING THE CODE OF THE CITY OF RAHWAY BY ADDING CHAPTER 82 ESTABLISHMENT OF LAND BANK Cox / Newbury

O-09-20	ORDINANCE DESIGNATING THE RAHWAY REDEVELOPMENT AGENCY AS THE LAND BANK ENTITY Bresenhan / Brown
O-10-20	BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO BRENNAN FIELD, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$475,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$450,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF Mojica / City Council
O-11-20	BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL ACQUISITIONS AND IMPROVEMENTS FOR THE WATER UTILITY OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$475,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES OF THE WATER UTILITY OF THE CITY TO FINANCE THE COSTS THEREOF Farrar / Gibilisco
O-12-20	BOND ORDINANCE PROVIDING FOR THE 2020 ROAD IMPROVEMENT PROGRAM OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$1,650,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,570,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF Cox / Newbury
O-13-20	BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO WATER STORAGE TANKS FOR THE WATER UTILITY OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$525,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$525,000 BONDS OR NOTES OF THE WATER UTILITY OF THE CITY TO FINANCE THE COSTS THEREOF Brown / Bresenhan
O-14-20	AN ORDINANCE AMENDING THE CITY OF RAHWAY CODE CHAPTER 401 VEHICLES AND TRAFFIC (Chapter 401-53) Cox / Farrar
O-15-20	CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) Bresenhan/ Cox

12. **MISCELLANEOUS** (Unfinished Business)
13. **COMMUNICATIONS:** Hearing of Citizens on Any Item (Five Minutes per Speaker)
14. **COUNCIL COMMENT** (Three Minutes per Member)
15. **ADJOURNMENT**

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-94-20

RESOLUTION TO AMEND 2020 BUDGET

WHEREAS, the local municipal budget for 2020 was approved on the 9th day of March, 2020,
and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the following amendments to the approved budget of 2020 be made:

CURRENT FUND	<u>From</u>	<u>To</u>
<i>Anticipated Revenues</i>		
3. Miscellaneous Revenues		
Section B: State Aid Without Offsetting Appropriations		
Consolidated Municipal Property Tax Relief Aid	\$ 526,841	\$ 406,141
Emergency Receipts Tax (P.L. 1997, Chapters 162 & 167)	3,482,132	3,602,832
 Total Section B: State Aid Without Offsetting Appropriations	 \$ 4,008,973	 4,008,973
Total General Revenues	\$ 56,739,732	\$ 56,739,732
 PARKING UTILITY		
<i>Anticipated Revenues</i>		
Parking Fees	\$ 1,000,000	\$ 1,100,000
Unearned Revenue - NJ Transit	100,000	0
Total Parking Utility Revenues	\$ 1,595,000	\$ 1,595,000

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2020 local municipal budget so amended.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-95-20

RESOLUTION TO APPROVE THE AMENDED CY2020 BUDGET

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 37,995,062.00 (Item 2 below) for municipal purposes, and
- (b) \$ 0.00 (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ 0.00 (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ _____ (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ 988,596.00 (Item 5 below) Minimum Library Levy

RECORDED VOTE		{		{			{
(Insert last name)	Ayes	{		{		Abstained	{
		{		{			{
		{	Nays	{			{
		{		{		Absent	{
		{		{			{
		{		{			{
		{		{			{

SUMMARY OF REVENUES

1. General Revenues			
Surplus Anticipated		08-100	2,250,000.00
Miscellaneous Revenues Anticipated		40004-10	14,116,074.00
Receipts from Delinquent Taxes		15-499	1,390,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)			
		07-190	37,995,062.00
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42	07-195	\$ 0.00	
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$ 0.00	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only			
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191	
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY			
		07-192	988,596.00
Total Revenues			
		40000-10	56,739,732.00

SUMMARY OF APPROPRIATIONS

2020

5. GENERAL APPROPRIATIONS	xxxxxxx	xxxxxxxxxxx
Within "CAPS"	xxxxxxx	xxxxxxxxxxx
(a&b) Operations Including Contingent		39,638,289.00
(e) Deferred Charges and Statutory Expenditures - Municipal		5,673,202.00
(g) Cash Deficit		
Excluded from "CAPS"	xxxxxxx	xxxxxxxxxxx
(a) Operations - Total Operations Excluded from "CAPS"		1,966,670.00
(c) Capital Improvements		250,000.00
(d) Municipal Debt Service		6,959,785.00
(e) Deferred Charges - Municipal		1,786.00
(f) Judgements		0.00
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)		0.00
(g) Cash Deficit		0.00
(k) For Local District School Purposes		0.00
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)		2,250,000.00
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)		0.00
Total Appropriations		56,739,732.00

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-96-20

RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND OPEIU LOCAL #32

WHEREAS, the City and the OPEIU Local #32 are the parties to a Collective Bargaining Agreement (the "Agreement") whose current term covered the period of January 1, 2020 through December 31, 2022; and

WHEREAS, the City and OPEIU Local # 32 have engaged in negotiations for a successor agreement through the duration of January 1, 2020 through December 31, 2022; and

WHEREAS, the City and the OPEIU Local #32 have agreed upon terms in a Memorandum of Agreement recommending the ratification and approval for a 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 Business Administrator is hereby authorized to execute the Memorandum of Agreement in substantially the same form attached hereto with modifications made upon recommendation and advice of counsel; and

BE IT FURTHER RESOLVED, the Mayor and City Clerk are authorized to execute the Collective Bargaining Agreement between the City of Rahway and the OPEIU Local #32 for a term of January 1, 2020 through December 31, 2022 in accordance with the terms of the Memorandum of Agreement on file in the City Clerk's Office.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-97-20

RESOLUTION ACCEPTING THE ARTS DISTRICT REDEVELOPMENT PLAN AND FORWARDING IT TO THE RAHWAY CITY PLANNING BOARD FOR REVIEW PURSUANT TO N.J.S.A. 40A:12A-7(f)

WHEREAS, the City Council of the City of Rahway (the “City Council”) adopted Resolution No. AR-53-19 on February 11, 2019 authorizing and directing the Planning Board of the City of Rahway (the “Planning Board”) to undertake a preliminary investigation of Block 162, Lots 8, 9, 10, 11, 12, and 13 (“the Area”) to determine if they should be declared a condemnation area in need of redevelopment under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq (“LRHL”); and

WHEREAS, the Planning Board conducted a duly noticed public hearing on June 12, 2019, reviewed in the preliminary investigation, heard expert testimony, and recommended that the Area be designated a condemnation area in need of redevelopment; and

WHEREAS, the City Council adopted Resolution No. AR-179-19 on August 12, 2019 concurring with the Planning Board’s recommendations and formally designating the Area as a condemnation area in need of redevelopment; and

WHEREAS, the LRHL, at N.J.S.A. 40A:12A-7 permits the City Council to prepare and adopt a Redevelopment Plan to effectuate the redevelopment of a designated area in need of redevelopment; and

WHEREAS, the City retained Heyer, Gruel, and Associates to prepare a Redevelopment Plan for the Area, entitled the “Arts District Redevelopment Plan”, dated February 2020 (the “Plan”) which also includes portions of the previously designated area in need of redevelopment at the north end of the Central Business District; and

WHEREAS, the LRHL requires the City Council to refer the Plan to the Board for its review pursuant to N.J.S.A. 40A:12A-7. e; and

WHEREAS, the City Council hereby accepts the Plan as drafted and refers it to the Board for the statutorily required review and requests the Board review the Plan and submit its comments to the City Council within 45 days as required in the LRHL.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF RAHWAY, NEW JERSEY, THAT:

1. The City Council of the City of Rahway accepts the Arts District Redevelopment Plan, dated February 2020, prepared by Heyer, Gruel and Associates, as drafted and attached hereto as Exhibit A.
2. The City Council of the City of Rahway refers the Redevelopment Plan to the Planning Board for its review pursuant to N.J.S.A. 40A:12A-7.e and requests that the Board review the Plan at its next meeting and transmit its response to the Council within 45 days.

3. This Resolution shall take effect immediately.

STATEMENT

This Resolution accepts the Arts District Redevelopment Plan, dated February 2020, prepared by Heyer, Gruel & Associates, and requests that the Planning Board of the City of Rahway review the Plan and transmit its response to the City Council as required by the Local Redevelopment and Housing Law.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-98-20

**RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO BERTO
CONSTRUCTION FOR SANITARY SEWER SYSTEM REPAIRS AT 44-48 EAST HAZELWOOD
AVENUE, PURSUANT TO N.J.S.A. 40A:11-6**

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

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

WHEREAS, due to a damaged sewer pipe in the area of 44-48 East Hazelwood Avenue within the roadway resulted in the surface discharge of raw sewer creating a very hazardous public health condition; and

WHEREAS, Berto Construction (the “Contractor”) was authorized to perform emergency repairs to the sewer system in the area of 44-48 East Hazelwood Avenue; and

WHEREAS, the work included the excavation of the area of the damaged sewer lateral, repairs to the existing sewer lateral, approximately 4 square yards of pavement restoration and restorations to the disturbed areas.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that a contract with Berto Construction, for said work in the amount of six thousand nine hundred two Dollars, forty cents (\$6,902.40) is hereby ratified and authorized pursuant to N.J.S.A, 40:11-6(b).

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-99-20

**RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO BERTO
CONSTRUCTION FOR SEWER SYSTEM IMPROVEMENTS ON OLIVER STREET AND WEST
SCOTT AVENUE PURSUANT TO N.J.S.A 40A:11-6**

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

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

WHEREAS, due to a damaged sewer pipe in the area of the intersection of Oliver Street and West Scott Avenue, the existing sewer system was not functioning correctly; and

WHEREAS, Berto Construction (the “Contractor”) submitted a bid to repair the sewer system on at Oliver Street and West Scott Avenue; and

WHEREAS, the work included the excavation of the area, repairs to the existing sewer and storm pipes, 10 square yards of pavement restoration and restorations to the disturbed areas.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that a contract with Berto Construction, for said work in the amount of twenty seven thousand six hundred thirty five Dollars (\$27,635.00) is hereby ratified and authorized pursuant to N.J.S.A, 40:11-6(b).

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-100-20

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND CME ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH AMTRAK STRUCTURES IMPROVEMENTS (PHASE 1)

WHEREAS, the City of Rahway requires the services of licensed professional engineer to design Amtrak structures improvements within the City of Rahway; and

WHEREAS, by Resolution No. AR-26-20 CME Associates was pre-qualified to provide general engineering services to the City; and

WHEREAS, CME Associates has submitted a proposal dated April 2, 2020 to perform the aforementioned services; and

WHEREAS, the City desires to award a contract to CME Associates to provide professional engineering services for Amtrak structures improvements.

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

1. The Mayor and Municipal Clerk of the City of Rahway are hereby authorized to execute a professional services agreement with CME Associates in an amount not to exceed \$84,846.00.
2. A notice in accordance with this Resolution and the Local Public Contracts Law shall be published in the official newspaper of the City of Rahway as required by law within ten (10) days of its passage.
3. That an executed copy of the Contract and a copy of this Resolution shall be filed in the office of the Municipal Clerk of the City of Rahway and shall be available there for public inspection in accordance with law.
4. This Resolution shall take effect immediately or as otherwise provided by law.

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated funds within the Current Fund- Account 01-201-20-165-165, to cover the cost of this contract. This certification is required on all contracts as per regulations of the Director of Local Government Services.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-101-20

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND CME ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR WATER TANK ASSESSMENTS

WHEREAS, the City of Rahway requires the services of licensed professional engineer to assess and inspect the City's Elevated Water Storage Tanks within the City of Rahway; and

WHEREAS, by Resolution No. AR-26-20 CME Associates was pre-qualified to provide general engineering services to the City; and

WHEREAS, CME Associates has submitted a proposal dated April 2, 2020 to perform the aforementioned services; and

WHEREAS, the City desires to award a contract to CME Associates to provide Engineering Services for the assessment and inspection of the elevated water storage tanks.

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

1. The Mayor and Municipal Clerk of the City of Rahway are hereby authorized to execute a professional services agreement with CME Associates in an amount not to exceed \$32,250.00.
2. A notice in accordance with this Resolution and the Local Public Contracts Law shall be published in the official newspaper of the City of Rahway as required by law within ten (10) days of its passage.
3. That an executed copy of the Contract and a copy of this Resolution shall be filed in the office of the Municipal Clerk of the City of Rahway and shall be available there for public inspection in accordance with law.
4. This Resolution shall take effect immediately or as otherwise provided by law.

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated funds within the Current Fund- Account 06-216-55-930-104, to cover the cost of this contract. This certification is required on all contracts as per regulations of the Director of Local Government Services.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-102-20

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND CME ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH ALLEN STREET CULVERT RETAINING WALL REPAIRS

WHEREAS, the City of Rahway requires the services of licensed professional engineer to replace two headwalls, one upstream and one downstream of a culvert crossing on Allen Street within the City of Rahway; and

WHEREAS, by Resolution No. AR-26-20 CME Associates was pre-qualified to provide general engineering services to the City; and

WHEREAS, CME Associates has submitted a proposal dated March 27, 2020 to perform the aforementioned services; and

WHEREAS, the City desires to award a contract to CME Associates to provide Engineering Services for repairs associated with Allen Street culvert retaining walls.

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

1. The Mayor and Municipal Clerk of the City of Rahway are hereby authorized to execute a professional services agreement with CME Associates in an amount not to exceed \$88,900.00.
2. A notice in accordance with this Resolution and the Local Public Contracts Law shall be published in the official newspaper of the City of Rahway as required by law within ten (10) days of its passage.
3. That an executed copy of the Contract and a copy of this Resolution shall be filed in the office of the Municipal Clerk of the City of Rahway and shall be available there for public inspection in accordance with law.
4. This Resolution shall take effect immediately or as otherwise provided by law.

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated funds within the Current Fund- Account 04-215-22-697-116, to cover the cost of this contract. This certification is required on all contracts as per regulations of the Director of Local Government Services.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-103-20

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND MASER CONSULTING, P.A. FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE EAST CHERRY STREET STREETScape PROJECT

WHEREAS, the City of Rahway requires the services of licensed engineer to design and inspect road and sidewalks improvements on East Cherry Street within the City of Rahway; and

WHEREAS, by Resolution No. AR-26-20 Maser Consulting, P.A. was pre-qualified to provide general engineering services to the City; and

WHEREAS, Maser Consulting, P.A. has submitted proposals dated March 20, 2020 to perform the aforementioned services; and

WHEREAS, the City desires to award a contract to Maser Consulting, P.A. to provide engineering services associated with the East Cherry Street Streetscape Improvements Project.

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

1. The Mayor and Municipal Clerk of the City of Rahway are hereby authorized to execute a professional services agreement with Maser Consulting, P.A. in an amount not to exceed \$69,750.00.
2. A notice in accordance with this Resolution and the Local Public Contracts Law shall be published in the official newspaper of the City of Rahway as required by law within ten (10) days of its passage.
3. That an executed copy of the Contract and a copy of this Resolution shall be filed in the office of the Municipal Clerk of the City of Rahway and shall be available there for public inspection in accordance with law.
4. This Resolution shall take effect immediately or as otherwise provided by law.

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated funds within the Current Fund- Account 01-201-20-165-165, to cover the cost of this contract. This certification is required on all contracts as per regulations of the Director of Local Government Services.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-104-20

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND MASER CONSULTING, P.A. FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE BRENNAN FIELD SPLASH PARK IMPROVEMENTS

WHEREAS, the City of Rahway requires the services of an licensed professional engineer to design and inspect improvements to Brennan Field to construct a Splash Park within the City of Rahway; and

WHEREAS, by Resolution No. AR-26-20 Maser Consulting, P.A. was pre-qualified to provide general engineering services to the City; and

WHEREAS, Maser Consulting, P.A. has submitted a proposal dated March 20, 2020 to perform the aforementioned services; and

WHEREAS, the City desires to award a contract to Maser Consulting, P.A. to provide engineering services associated with the Brennan Field Splash Park.

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

1. The Mayor and Municipal Clerk of the City of Rahway are hereby authorized to execute a professional services agreement with Maser Consulting, P.A. in an amount not to exceed \$78,800.00.
2. A notice in accordance with this Resolution and the Local Public Contracts Law shall be published in the official newspaper of the City of Rahway as required by law within ten (10) days of its passage.
3. That an executed copy of the Contract and a copy of this Resolution shall be filed in the office of the Municipal Clerk of the City of Rahway and shall be available there for public inspection in accordance with law.
4. This Resolution shall take effect immediately or as otherwise provided by law.

The Chief Financial Officer of City of Rahway certifies that there are legally appropriated sufficient funds within the Account No. 04-215-55-698-104 to cover the cost of this contract.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-105-20

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND AND CASH BOND & ACCEPTANCE OF A MAINTENANCE BOND TO 1255 MAIN STREET, LLC, BLOCK 305, LOT 5.02

WHEREAS, Maser Consulting has conducted a review toward release of Performance Bond #0717595 in the amount of \$144,354.42 and cash bond in the amount of \$16,039.38 for the work at Block 305, Lot 5.02; and

WHEREAS, Maser Consulting recommends acceptance of Maintenance Bond #0717616 in the amount of \$20,049.15.

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

1. The Treasurer is authorized and directed to return the Performance Bond #0717595 in the amount of \$144,354.42 and cash bond in the amount of \$16,039.38 for on-site and off-site work; and
2. Performance Bond #0717595 and cash bond in the amount of \$16,039.38 be released to 1255 Main Street, LLC, 111 Magee Avenue, Lavallette, New Jersey 08735; and
3. The Municipal Council of the City of Rahway accepts Maintenance Bond #0717616 in the amount of \$20,049.15

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-106-20

RESOLUTION AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE TOWNSHIP OF WOODBRIDGE FOR SOCIAL WORKER SERVICES

WHEREAS, the City of Rahway is in need of Social Worker services to provide intervention services of a technical and professional nature; and

WHEREAS, the Township of Woodbridge Department of Health and Human Services is staffed with Social Workers and able to provide services to the City of Rahway pursuant to an interlocal agreement; and

WHEREAS, the Township of Woodbridge has proposed a contract that will provide the City of Rahway with the required social worker services from April 1, 2020 through March 31, 2021 with two one-year optional extensions; and

WHEREAS, the City of Rahway shall pay the Township of Woodbridge an hourly rate of \$75.00 per hour and not exceed \$5,000.00 per year for said services.

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 a contract between the City of Rahway and Township of Woodbridge for Social Worker services for the period from April 1, 2020 through March 31, 2021.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Township of Woodbridge Municipal Clerk and Chief Financial Officer and the City of Rahway Health Officer.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-107-20

RESOLUTION AUTHORIZING THE PURCHASE OF THREE 2020 CHEVROLET POLICE VEHICLES UTILIZING THE NJ STATE CONTRACT

WHEREAS, the City is a member and can participate in NJ State Contract Programs.; and

WHEREAS, the City desires to purchase three 2020 Chevrolet Police Vehicles for the Rahway Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey seeks to award a contract to Gentilini Chevrolet LLC, 500 John S. Penn Blvd, Woodbine, NJ 08270 for the purchase of three Chevrolet Police Vehicles.

BE IT FURTHER RESOLVED that the Municipal Council authorizes the purchase of the three police vehicles through NJ State Contract not to exceed \$118,367.73 with funding provided by the Current Fund – Account 01-201-25-240-025, to cover the cost of this contract.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-108-20

**RESOLUTION AUTHORIZING THE PURCHASE OF EQUIPMENT (LIGHTS, SIRENS,
PRISONER TRANSPORT SYSTEM AND PUSH BUMPER) TO OUTFIT THREE NEW POLICE
VEHICLES UTILIZING THE NJ STATE CONTRACT**

WHEREAS, the City is a member and can participate in NJ State Contract Programs.; and

WHEREAS, the City desires to purchase equipment to outfit three 2020 Chevrolet Police Vehicles for the Rahway Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the purchase of new equipment for the Rahway Police Department from Municipal Equipment Enterprise (State Contract No. T-0106), 2703 Fire Rd, Egg Harbor Township, NJ 08234, is hereby authorized for an amount not to exceed \$31,940.85.

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 Funds – Accounts 03-215-55-520-115 to cover the cost of this contract.

RESOLUTION CITY OF RAHWAY, NEW JERSEY

No. AR-109-20

RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF VETERAN DEDUCTION FOR THE C/Y 2019

WHEREAS, the City Tax Assessor has granted Veteran Deduction for the Calendar Year 2019.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the City Clerk be and she is hereby authorized and directed to draw a warrant on the Chief Financial Officer in the following name and amount of refund said Deductions.

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

VETERANS

BLOCK/LOT	PROPERTY ADDRESS	OWNERS NAME	2019 C/Y
27 24	398 W Inman Ave.	James Givens	\$250.00
41 08	94 Russell Ave.	Paul Minch	\$250.00
226 03	1978 Elizabeth Ave.	Francisco Perez	\$250.00
244 41	767 Rodgers Ct.	Richard Parish	\$250.00
309 53	1179 Fulton St.	Foster Walker	\$250.00
361 13	1956 Beacon St.	Roberto Castro	\$250.00

TOTAL: \$1,500.00

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-110-20

RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF A SENIOR DEDUCTION FOR THE C/Y 2019

WHEREAS, the City Tax Assessor has granted a Senior Deduction for Calendar Year 2019.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the City Clerk be and she is hereby authorized and directed to draw a warrant on the Chief Financial Officer in the following name and amount of refund said Deductions.

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

SENIORS ON

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>OWNERS NAME</u>	<u>2019 C/Y</u>
62 09	477 Grove St.	Frances Andrade	\$250.00
243 04	653 W. Scott Ave.	Nancy Heaney	\$250.00

TOTAL

\$500.00

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-111-20

RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF DISABLED DEDUCTION FOR THE C/Y 2019

WHEREAS, the City Tax Assessor has granted a Disabled Deduction for the Calendar Year 2019.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the City Clerk be and she is hereby authorized and directed to draw a warrant on the Chief Financial Officer in the following name and amount of refund said Deductions.

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

DISABLED ON

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>OWNERS NAME</u>	<u>2019 C/Y</u>
18 26	204 Albermarle St.	Anna Zielski	\$250.00
24 12	374 Albermarle St.	Mark Writz	\$250.00

Total \$500.00

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-112-20

RESOLUTION GRANTING THE EXEMPTION OF TAXES FOR THE PROPERTY KNOWN AND DESIGNATED AS LOT 7 IN CITY BLOCK 223

WHEREAS, property known as Lot 7 in City Block 223, more commonly known as 261 W. Grand Avenue in Rahway is now owned by St. John the Baptist Russian Orthodox Church; and

WHEREAS, the St. John the Baptist Russian Orthodox Church has been approved by the Tax Assessor under the provision of N.J.S.A. 54:4-3.6, causing this property to be exempt from taxation at the local level effective January 1, 2020; and

WHEREAS, the Tax Bills for the balance of Calendar Year 2020 were generated from the 2019 Assessor's Tax List, as required under regulations promulgated by the New Jersey Division of Local Government Services in the Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this prior property owner with a Tax Bill for the first half of 2020, while the property is now owned by the St. John the Baptist Russian Orthodox Church and is classified as being Tax Exempt.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the Tax Collector be, and he hereby is, authorized and directed to cancel the first half 2020 taxes in the amount of \$2,908.70 for the property known and designated as Lot 7 in City Block 223.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-113-20

RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES FOR 2017, 2018 & 2019 TAX LIENS

WHEREAS, the City of Rahway held a Tax Lien Sale on December 8, 2017, 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 by the Municipal Council of the City of Rahway, County of Union, State of New Jersey 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.

2017 Tax Liens

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
309 21	1204 New Brunswick Ave	TFS C/F Fig Cap INV NJ13 LLC P.O. Box 54472 New Orleans LA 70454	\$36,250.89	\$23,000.00
Certificate 2017-0038				

2018 Tax Liens

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
189 46	1170 Westfield Ave	Us Bank C/F PC 7 Firstrust Bank US Bank Global Corp TRST 50 S 16th St-STE 2050 Philadelphia PA 19102	\$13,892.11	\$500.00
Certificate 2018-0013				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
309 21	1204 New Brunswick Ave	Us Bank Cust Tower DB VIII Trust 18 50 S 16th St-STE 2050 Philadelphia PA 19102	\$13,117.46	\$100.00
Certificate 2018-0024				

2019 Tax Liens

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
80 26	767 Jaques Ave	Trystone Capital Assets LLC P.O. Box 1030 Brick NJ 08723	\$763.94	\$1,800.00
Certificate 2019-0007				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
85 31	1170 Broad Street	Christiana T C/F CE1/Firstrust P.O. Box 5021 Philadelphia PA 19111	\$1,879.34	\$4,600.00
Certificate 2019-0008				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
115 24	921 W Lake Ave	Trystone Capital Assets LLC P.O. Box 1030 Brick NJ 08723	\$298.05	\$1,100.00
Certificate 2019-0011				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
258 50	625 Cora Place	Christiana T C/F CE1/Firstrust P.O. Box 5021 Philadelphia PA 19111	\$1,642.59	\$7,700.00
Certificate 2019-0028				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
158 06	1571-3-5-7-9 Irving Street	Us Bank Cust/Pro Cap8/Pro Capital US Bank Global Corp TRST TLGS 50 S 16th St-STE 2050 Philadelphia PA 19102	\$61,611.51	\$85,000.00
Certificate 2019-0018				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
213 11	767 River Rd	Christiana T C/F CE1/Firstrust P.O. Box 5021 Philadelphia PA 19111	\$1,749.47	\$2,000.00
Certificate 2019-0025				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
219 18	1893 Church Street	Trystone Capital Assets LLC P.O. Box 1030 Brick NJ 08723	\$12,926.67	\$19,600.00
Certificate 2019-0018				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
258 66	661 Linden Ave	Christiana T C/F CE1/Firstrust P.O. Box 5021 Philadelphia PA 19111	\$4,473.02	\$12,100.00
Certificate 2019-0029				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
284 01	996 Thorn Street	Trystone Capital Assets LLC P.O. Box 1030 Brick NJ 08723	\$1,340.78	\$2100.00
Certificate 2019-0035				

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
289 16	284 E Lake Ave	Trystone Capital Assets LLC P.O. Box 1030 Brick NJ 08723	\$951.49	\$1,400.00
Certificate 2019-0036				

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-114-20

RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR SELF-INSURANCE PROGRAM (N.J.S.A. 40A:10-1 et seq.)

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 the Rahway Municipal Council provides for receipt of Self-Insurance Program by the municipality to provide for the operating costs to administer this act; and

WHEREAS, the Rahway Municipal Council provides for receipt of Self-Insurance Program 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 Self-Insurance Program are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by stature or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Self-Insurance Program (N.J.S.A. 40A:10-1 et seq.)
2. 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.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-115-20

RESOLUTION INTRODUCING THE CITY OF RAHWAY CY 2020 SPECIAL IMPROVEMENT DISTRICT BUDGET

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the budget herein before set forth as appropriation, and authorization of the amount of \$130,000.00 for Special Improvement District purposes.

Revenue			
SID Assessment			<u>\$130,000</u>
Expenses			
Salary & Wages	\$86,000		
Fringe @ 15%	<u>12,900</u>	\$98,900	
Operating Expenses		22,800	
Programming		<u>8,300</u>	<u>\$130,000</u>

ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-07-20

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 1842 Whittier Street
West Side – From the apex of Harrison Street heading south 77’ and extending to a point 22’ south thereof.

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

Section 3. If any section, subsection, sentence, clause, phrase, or a portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 9th day of March 2020.


Rayna E. Harris, City Clerk

Motion: Farrar

Second: Gibilisco

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

NO: None

ABSENT: Councilmember Miles

ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-08-20

AN ORDINANCE AMENDING THE CODE OF THE CITY OF RAHWAY BY ADDING CHAPTER 82 ESTABLISHMENT OF LAND BANK

WHEREAS, difficult economic conditions coupled with the continued high rate of foreclosures have significantly increased the number of vacant, abandoned, neglected and other problem properties (collectively “Vacant and Abandoned Properties”) in the City of Rahway; and

WHEREAS, the continued presence and proliferation of these Vacant and Abandoned Properties in the City of Rahway has a negative effect on the public health, safety and welfare, reduces property values and municipal revenue, and impedes the economic growth, development and revitalization of the City; and

WHEREAS, presently, many Vacant and Abandoned Properties, rather than being productively reused, remain vacant despite frequent changes in ownership, and create and continue to have a blighting effect on their surroundings; and

WHEREAS, the City of Rahway can benefit from more effective tools to control the inventory of Vacant and Abandoned Properties, in order to both minimize the harm and danger that they create in their present condition, and to facilitate their restoration to productive use and economic growth; and

WHEREAS, in order to most effectively and efficiently engage the local community in identifying problem properties, the City of Rahway can benefit from the publication of interactive online mapping databases of Vacant and Abandoned Properties; and

WHEREAS, to ensure that land banking activities are conducted in an honest and open manner, the public can also benefit from the inclusion of properties subject to land banking agreements within the interactive online mapping databases regardless of whether or not such properties are vacant and abandoned; and

WHEREAS, P.L. 2019, c.159 authorizes the City of Rahway to establish a Land Bank and designate a single entity to achieve its goals.

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

SECTION 1. The Code of the City of Rahway is hereby amended to add a new Chapter 82, entitled Establishment of Land Bank.

§82-1. Establishment of Land Bank

§82-1.1 Short Title

This Chapter shall be known as the Land Bank of the City of Rahway.

§82-1.2. Intent and Purpose

It is the purpose of this Chapter to establish the land bank of the City of Rahway and authorize the designation of a land bank entity by separate ordinance, which will use available resources to facilitate the return of vacant, blighted, abandoned and tax-delinquent properties to productive use, thereby combating community deterioration, creating economic growth and stabilizing the housing market.

§82-1.3. Authority

This Chapter is adopted in accordance with the provisions of P.L. 2019, c.159, as enacted by the New Jersey Legislature and signed into law by the Governor on July 10, 2019.

§82-1.4. Definitions

“**City**” means the City of Rahway and hereinafter referred to as “City” or “City of Rahway”.

“**Land bank entity**” means a public land bank entity, or a non-profit land bank entity.

“**Land bank property**” means property subject to a land banking agreement.

“**Land banking agreement**” means an agreement between a municipality and a land bank entity to act on behalf of the municipality to hold, maintain and lease or convey property owned by the municipality and not needed for any public purpose.

“**Non-profit land bank entity**” means a non-profit entity, established pursuant to the “New Jersey Nonprofit Corporation Act,” N.J.S.A. 15A:1-1 et seq., that has entered into a land banking agreement.

“**Public land bank entity**” means a redevelopment entity that has entered into a land banking agreement.

“**Redevelopment entity**” means either:

(1) A redevelopment entity designated by the City pursuant to Section 4 of the “Local Redevelopment and Housing Law,” P.L.1992, c.79 (C.40A:12A-4); or

(2) A county improvement authority designated by the City to act as a redevelopment entity pursuant to the “county improvement authorities law,” P.L.1960, c.183 (C.40:37A-44 et seq.) for the purpose of entering into a land banking agreement with said entity, without regard to

whether the county improvement authority is otherwise acting as a redevelopment entity in the City; or

(3) The City itself, or one of its departments or agencies, but only if the City is executing redevelopment responsibilities directly pursuant to Section 4 of P.L.1992, c.79 (C.40A:12A-4). In such cases, the designated redevelopment entity shall not need to adopt separate ordinances or resolutions, as appropriate, for the purpose of adopting a land banking agreement or amendments pursuant to Subsections d. and e. of Section 5 of P.L. 2019, c.159 and the adoption of one ordinance to create the land banking agreement, and one ordinance for each amendment thereto shall suffice. Termination notice requirements, prescribed by Section 14 of P.L. 2019, c.159, also shall not be necessary.

“Trust Agreement” means an agreement between a municipality and land bank entity, pursuant to Subsection f. of Section 5 of P.L. 2019, c.159.

§82-2. Authority to Designate a Land Bank Entity

(a) The City may enter into a land banking agreement with a redevelopment entity, and designate the redevelopment entity as its land bank entity; or

(b) The City may enter into a land banking agreement with a non-profit entity so long as the by-laws of the non-profit entity provide that the Chief Financial Officer of the City serves on the board of the non-profit entity, *ex officio*.

§82-3. The Land Banking Agreement

The City of Rahway shall enter into a land banking agreement with a designated land bank entity. The land banking agreement shall meet the following requirements and follow the following procedures:

(a) The land banking agreement shall establish the responsibilities of the land bank entity and shall specify the terms and conditions under which the land bank entity may acquire property on behalf of the City of Rahway, demolish and otherwise clear buildings and conduct other site improvements located on the property, maintain and secure the property, conduct other activities on the property, and, notwithstanding the provisions of the “Local Lands and Buildings Law,” P.L.1971, c.199 (C.40A:12-1 et seq.), lease or convey property held on behalf of the City of Rahway.

(b) The land banking agreement shall provide for such City oversight of the land bank entity as the City of Rahway deems necessary and appropriate and shall establish the manner in which any costs and revenues, including proceeds of the sale or leasing of land bank property shall be distributed.

(c) The land bank entity shall not lease any land bank property for an individual term of more than ninety (99) years. Land bank property that is leased, or conveyed by the land bank entity, shall be subject to ordinances adopted pursuant to the “Municipal Land Use Law,” P.L.1975, c.291 (C.40:55D-1 et seq.), any redevelopment plan enacted pursuant to the “Local

Redevelopment and Housing Law,” P.L.1992, c.79 (C.40A:12A-1 et al.), and other applicable State statutes following the lease or conveyance.

(d) Prior to submission of the land banking agreement for approval by the City Council of the City of Rahway, the administration shall hold a public meeting to solicit the advice of the public on the substance and intent of the land banking agreement.

(e) The ordinance comprising the land banking agreement shall include findings establishing the need for land bank activity in the City of Rahway, the public purpose that Rahway intends the land bank entity to pursue, and the qualifications of the land bank entity to carry out the responsibilities established pursuant to the New Jersey Land Bank Law.

(f) The land banking agreement shall be adopted by an ordinance of the City Council of the City of Rahway and then by resolution of the Governing Body or board, as appropriate, of the land bank entity.

(g) The land banking agreement may be amended at any time by an ordinance of the City Council of the City of Rahway and then by resolution of the Board of Commissioners of the land bank entity.

(h) The City may authorize a land bank entity to hold property in trust on behalf of the City. The land banking agreement shall establish whether a trust agreement shall provide authorization to the land bank entity to convey property, lease property, and conduct other land banking activities without City authorization for each individual conveyance, and other action. If provided in the land banking agreement, each trust agreement shall provide the land bank entity with all the powers of property ownership, subject to the potential termination of the land banking agreement pursuant to Section 14 of P.L. 2019, c.159 and Section 82-8 of this Ordinance.

(i) The land bank entity is not subject to the requirements of the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.), in accordance with a land banking agreement or with contracts entered by the land bank entity in accordance with the land banking agreement. Public bidding is not necessary to enter into a land banking agreement, or, unless otherwise stated in the land banking agreement, for contracts entered into by the land bank entity in accordance with the land banking agreement.

§82-4. Authorized Activity of Land Bank Entity

Pursuant to the land banking agreement or any subsequent amendment thereto, the land bank entity may be designated by the City of Rahway to:

(a) Acquire properties on its behalf through contribution, gift, grant, bequest, purchase or otherwise, whether or not the property is located in an area designated as a redevelopment area or an area in need of rehabilitation; and

(b) Act as its agent, or in place of its municipal officer, with respect to acquisition of property, including but not limited to purchase of tax and other liens, foreclosure of tax and other

liens, and individual abandoned property takings pursuant to paragraph (2) of Subsection c. of Section 37 of the “New Jersey Urban Redevelopment Act,” P.L.1996, c.62 (C.55:19-56), on behalf of the City of Rahway and to acquire and hold in trust such properties on behalf of the City of Rahway; provided, however, that nothing in this Section shall authorize the use of eminent domain beyond that use already permitted by law; and

(c) The City of Rahway, through the land banking agreement, may authorize the land bank entity to hold in trust on behalf of the City any property or properties held by the City and not being used for any public purpose, whether or not the property is located in an area designated as a redevelopment area or an area in need of rehabilitation, without public bidding and at such prices and upon such terms as the City deems reasonable in accordance with parameters that may be established in the land banking agreement. The trust agreement with the land bank entity shall be conditioned on the City’s ability to regain control of the properties pursuant to Section 14 of P.L. 2019, c.159 and Section 82-8 of this Ordinance; and

(d) The City of Rahway, through the land banking agreement, or through the adoption of a separate ordinance, may assign any tax liens or other liens to the land bank entity, subject to the provisions of R.S.54:5-112 and R.S.54:5-113, except that the liens may be assigned with or without consideration and at such prices and upon such terms as the City deems reasonable; and

(e) If the City Council adopts an ordinance pursuant to Subsection (d) and permits the land bank entity to retain a portion of the interest payments on one or more tax liens, or the proceeds from one or more sheriff’s sales or short sales, or both, then the City shall retain the authority to, at any time, by ordinance, restrict the amount of one or both of these funding sources that may be retained by the land bank entity following the date of adoption of the ordinance. The terms of a tax lien assignment pursuant to this Subsection shall remain intact, without restriction by a subsequent ordinance, for no less than one year; and

(f) The land banking agreement between the City and a land bank entity, may provide that properties held by the land bank entity in trust on behalf of the City pursuant to Subsections a, b, c, or d of this Section, are held in trust by the entity on behalf of the City for a public purpose and shall be exempt from property taxation until or unless leased or conveyed by the entity on behalf of the City or used by the entity for a purpose that is not eligible for exemption from taxation; and

(g) In leasing or conveying land bank property, unless the property is part of an area in need of redevelopment, a redevelopment entity shall not be subject to the provisions of section 9 of P.L.1992, c.79 (C.40A:12A-9), but shall be subject to any terms and conditions set forth in the land banking agreement.; and

(h) With the approval of the City Council, the land bank entity may act as a land bank entity for more than one municipality at the same time, subject to the provisions of the “Uniform Shared Services and Consolidation Act,” P.L.2007, c.63 (C.40A:65-1 et seq.).

§82-5. Property Taxes on Land Bank Properties

(a) The City of Rahway through the land banking agreement or a separate ordinance, may provide that a limited series of annual payments shall be made by the City to the land bank entity following one or more fiscal years during which a conveyance of one or more land bank properties from the land bank entity to a private owner occurs, provided that:

1. Each payment that the City commits to making pursuant to this Subsection shall be anticipated in the City budget adopted for the fiscal year during which the payment shall be made.
2. A payment budgeted pursuant to this Subsection shall be limited by the terms of the ordinance, but this payment shall not exceed 50 percent of property taxes or payments in lieu of taxes due and payable in the fiscal year for all properties that had been land bank properties within the 10 fiscal years prior to the fiscal year for which the payment is budgeted. If a property has been conveyed by the land bank entity more than once, then property taxes and payments in lieu of taxes due and payable for that property shall not be applied to increase the annual limitation established pursuant to this Chapter.
3. An ordinance adopted pursuant to this Section may only be applied to real property on which no property tax has been paid, or payment in lieu of taxes collected, for at least two years prior to the property becoming a land bank property; and such ordinance may be applied to any individual conveyance, any group of conveyances, or all future conveyances that fit these criteria.

(b) The distribution of any proceeds associated with the sale and leasing of land bank property shall be addressed in the land banking agreement itself and in amendments thereto. Distributions to the land bank entity pursuant to this Subsection may be made in addition to payments provided pursuant to Subsection (a) and adhere to the following:

1. Proceeds associated with the sales and leasing of land bank property, and all other proceeds obtained by the land bank entity on behalf of the City under the ordinance, shall be maintained in one or more accounts, separate from all other accounts maintained by the entity serving as the land bank entity.
2. The account or accounts shall be deemed to be government records and subject to the provisions of P.L.1963, c.73 (C.47:1A-1 et seq.), commonly known as the "Open Public Records Act."

(c) For the purposes of this Section, "conveyance" shall not be construed to include a lease.

§82-6. Responsibilities of the Land Bank Entity

(a) After entering a land banking agreement, the land bank entity may modify its bylaws or other governing documents to address actions taken on land bank property, including but not limited to, the leasing and conveyance of land bank property so long as such modifications are consistent with the provisions of the land banking agreement.

(b) Within six months after designation by the City of Rahway, if the land bank entity is a non-profit corporation, the land bank entity shall create a community advisory board, which shall consist of representatives of recognized community associations and non-profit organizations operating within the City, including those associations and organizations active in areas where the land bank entity anticipates holding properties.

(c) The land bank entity shall adopt policies and procedures to ensure that the community advisory board is provided with adequate information and opportunity to provide valued input into the decisions of the land bank entity in its capacity as a land bank entity.

(d) In coordination with the City of Rahway and the community advisory board, the land bank entity shall, within a reasonable time, create, maintain, and make publicly available on its website, a database listing all current and former land bank properties, each owner of record since each property became a land bank property, and the sales price of each land bank property that has been purchased by the land bank entity on behalf of the City.

(e) Beginning thirty (30) days after the land bank entity publishes a database and every six (6) months thereafter, in accordance with the guidance provided by the Division of Local Government Services in the Department of Community Affairs, the land bank entity shall update those State agencies identified by the division concerning any changes to the database. To the extent that the database includes properties in foreclosure proceedings, and properties foreclosed within the six (6) month reporting period, the land bank entity shall take reasonable steps to ensure that the information provided is both accurate and consistent with any corresponding information provided by any State agency, or by the Judiciary.

(f) In coordination with the City of Rahway and the Community Advisory Board, the land bank entity shall incorporate into the online database:

1. a list of all vacant and abandoned properties within the City; and
2. a mechanism to allow the public to offer suggestions concerning what properties should be labeled as vacant and abandoned; and
3. an interactive mapping component to allow the public to visualize the impact of land banking and the extent of vacant and abandoned properties within the City.

(g) On an annual basis, the Community Advisory Board shall report on the accuracy, integrity, accessibility, and comprehensiveness of the database established. Each annual report

shall be accessible to the public through the website of the City of Rahway and the land bank entity.

(h) The land bank entity shall provide an annual report to the City Council of the City of Rahway and the public describing the properties being held by it as a land bank entity and the activities that it carried out during the year as a land bank entity.

§82-7. Authorization to Borrow Funds

(a) To the extent that the statute under which a redevelopment entity was established, Section 4 of P.L.1992, c.79 (C.40A:12A-4), confers on that entity the power to borrow funds and incur debt, the redevelopment entity may exercise those powers in furtherance of its land banking obligations subject to the conditions and limitations set forth in Section 4 of P.L.1992, c.79 (C.40A:12A-4) or P.L.1960, c.183 (C.40:37A-44 et seq.).

(b) To the extent that the statute under which the redevelopment entity was established, Section 4 of P.L.1992, c.79 (C.40A:12A-4), provides that the City may guarantee its debt or other borrowing, the City may also guarantee its debt or other borrowing under the same terms and conditions, in furtherance of the entity's obligations as a land bank entity.

(c) The guaranteeing of debt and borrowing of funds permitted under Subsections a. and b. of this Section shall only be permitted so long as the land banking agreement itself also explicitly permits these actions.

§82-8. Termination of Land Banking Agreement

(a) The City may, by ordinance, terminate the land banking agreement at any time, with or without cause, by providing the land bank entity with one year's notice of termination from the date of the adoption of that ordinance subject to:

1. Termination of the land banking agreement under Subsection (a), shall not affect the status of any transaction properly entered into by the land bank entity prior to termination.
2. Within 90 days following the date of termination, the land bank entity shall convey and transfer to the City, possession of all land bank property without consideration; provided, however, that the City of Rahway and the entity may agree to allow the entity to retain possession and control over any properties that are the subject of a pending transaction by the entity until completion of the transaction, and until the end of any lease.

(b) With or without one year's notice to the land bank entity, the City may, by ordinance, terminate the land banking agreement upon notification of a determination from the County Prosecutor, or the Corporation Counsel, that the land bank entity, or a director or officer of the land bank entity while acting in their official role, has breached an essential duty of the land banking agreement based upon an act or omission:

1. in violation of the land bank entity's duty of loyalty to the City and the general welfare of the residents of the City;
2. involving a knowing violation of criminal law; or
3. resulting in the receipt by a director or officer of the land bank entity, or by an associate of such person, of an improper personal benefit.

§82-9. Municipal Approval

The transfer and sale of any properties, tax liens and other City owned property to the land bank entity shall be subject to City Council approval.

SECTION 2: If any provision of this Ordinance or application thereof to any person(s) or circumstance is judged invalid by a court of competent jurisdiction, the invalidity shall not affect other provisions or applications of the Ordinance that can be given effect without the invalidated provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 3: The Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

This Ordinance amends the Code of the City of Rahway by adding Chapter 82, Establishment of Land Bank.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 9th day of March 2020.


Rayna E. Harris, City Clerk

Motion:	Cox	Second:	Newbury
YES:	Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Gibilisco, Newbury, Mojica		
NO:	None		
ABSENT:	Councilmember Miles		

ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-09-20

ORDINANCE DESIGNATING THE RAHWAY REDEVELOPMENT AGENCY AS THE LAND BANK ENTITY

WHEREAS, N.J.S.A. 40:12A-77 et seq. specifically authorizes a municipality to enter into a land banking agreement with a redevelopment entity, and designate a redevelopment agency as its land bank entity; and

WHEREAS, the City desires to designate the Rahway Redevelopment Agency to be as the land bank entity; and

WHEREAS, pursuant to an agreement between the City and the Rahway Redevelopment Agency on file with the City Clerk, the Redevelopment Agency shall agree to the responsibilities outlined in N.J.S.A. 40A:12A-78; and

WHEREAS, the City shall specify the terms and conditions under which the land bank entity may acquire property on behalf of the municipality, demolish, and otherwise clear buildings and conduct other site improvements located on the property, maintain and secure the property, conduct other activities on the property, and, notwithstanding the provisions of the “Local Lands and Buildings Law,” P.L.1971, c.199 (C.40A:12-1 et seq.), lease or convey property held on behalf of the municipality; and

WHEREAS, the City shall have oversight of the land bank entity as the municipality deems necessary and appropriate and shall establish the manner in which any costs and revenues, including proceeds of the sale or leasing of land bank property shall be distributed; and

WHEREAS, the City may terminate the Agreement at any time by providing the Rahway Redevelopment Agency one year’s notice. Termination shall not affect any transaction entered into the Rahway Redevelopment Agency prior to termination. Within 90 days of the date of termination, the Rahway Redevelopment Agency shall convey to the municipality all properties without consideration.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the Mayor and City Clerk be and hereby are directed and authorized to enter into a land banking agreement with the Rahway Redevelopment Agency as the designated land bank entity.

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

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

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 9th day of March 2020.


Rayna E. Harris, City Clerk

Motion: Bresenhan

Second: Brown

YES:

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

NO:

None

ABSENT:

Councilmember Miles

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-10-20

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO BRENNAN FIELD, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$475,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$450,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the City of Rahway, in the County of Union, State of New Jersey (the "City"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$475,000, which sum includes \$25,000 as the amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$475,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount not exceeding \$450,000 pursuant

to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$450,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are for various improvements to Brennan Field, including, but not limited to, the construction of a new water splash park and site amenities therein consisting of, but not limited to, fencing, surfaces, benches and tables, and repairs and improvements to water fountain(s), the playground and basketball courts. The improvements shall also include, but are not limited to, as applicable, surveying, consulting, construction planning, engineering and design work, preparation of plans and specifications, permits, bid documents, construction observation and inspection, contract and construction administration, and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$450,000.

(c) The estimated cost of said improvements or purposes is \$475,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the amount of \$25,000, is comprised of the down payment for said improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Union make a contribution or grant in aid to the City, for the

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

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

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

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

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

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

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

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed

duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, within the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$450,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

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

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

the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

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

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

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

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 9th day of March 2020.


Rayna E. Harris, City Clerk

Motion: Mojica

Second: City Council

YES:

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

NO:

None

ABSENT:

Councilmember Miles

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-11-20

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL ACQUISITIONS AND IMPROVEMENTS FOR THE WATER UTILITY OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$475,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES OF THE WATER UTILITY OF THE CITY TO FINANCE THE COSTS THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken by the Water Utility (the "Water Utility") of the City of Rahway, in the County of Union, State of New Jersey (the "City"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the amount of \$475,000 by the Water Utility of the City. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required as the Water Utility is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the Water Utility are hereby authorized to be issued in a principal amount not exceeding \$475,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to

temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$475,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are for various capital acquisitions and improvements for the water utility of the City, including, but not limited to, the repair and/or replacement of water mains, hydrants and valves.

(b) The estimated maximum amount of bonds or notes of the City to be issued for said purposes is \$475,000.

(c) The estimated cost of said improvements or purposes is \$475,000.

(d) All such improvements or purposes described above shall include, but are not limited to, as applicable, all engineering and design work, consulting, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

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

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

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

SECTION 6. The City hereby certifies that it has adopted a capital budget or a temporary capital budget of the Water Utility of the City, as applicable. The capital budget or temporary capital budget of the Water Utility of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget of the Water Utility of the City, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

(b) The average period of usefulness of said improvements and purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is 30 years.

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

\$475,000 and the obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An amount not exceeding \$25,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements described in Section 3 hereof.

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

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

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

the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

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

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

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

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 9th day of March 2020.


Rayna E. Harris, City Clerk

Motion: Farrar

Second: Gibilisco

YES:

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

NO:

None

ABSENT:

Councilmember Miles

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-12-20

BOND ORDINANCE PROVIDING FOR THE 2020 ROAD IMPROVEMENT PROGRAM OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE “CITY”); APPROPRIATING \$1,650,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,570,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the City of Rahway, in the County of Union, State of New Jersey (the “City”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the amount of \$1,650,000, said amount being inclusive of \$80,000 as the amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 et seq. (the “Local Bond Law”). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,650,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the City are hereby authorized to be issued in the principal amount not exceeding \$1,570,000 pursuant to, and

within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in the principal amount not exceeding \$1,570,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are for improvements to all or a portion of various roadways within the City, including, but not limited to, Lafayette Place (Bond Street to Brady Court), Brady Court (Washington Street to East Grand Avenue), Moses Drive (Jefferson Avenue to St. Georges Avenue), Kaminski Drive (Jefferson Avenue to St. Georges Avenue), Paterson Street (Dead End to Grand Avenue), Harvard Street (West Inman Avenue to Grove Street), Concord Street (St. Georges Avenue to Jefferson Avenue), Murray Street (St. Georges Avenue to Jefferson Avenue), Linden Avenue (Prospect Street to Hulick Place), Hulick Place (Linden Avenue to Dead End), Bond Street (West Scott Avenue to Dead End at Merck Entrance) and Jefferson Avenue (West Inman Avenue to Central Avenue), all such improvements include, but are not limited to, as applicable, reconstruction, installation and/or repair of sidewalks and driveway aprons, reconstruction or repair of handicap accessible ramps for compliance with the requirements of the Americans with Disabilities Act, milling, paving, striping, reconstruction, sealing and resurfacing of various roadways, the repair and/or installation of curbs, retaining walls and curb ramps, drainage work, site work, clearing, tree planting and/or removal, roadway painting, landscaping, lawn and driveway restoration and other aesthetic improvements.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,570,000.

(c) The estimated cost of said improvements or purposes is \$1,650,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the amount of \$80,000 is composed of the down payment for said improvements or purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, consulting, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the City and available for public inspection and hereby approved.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Union make a contribution or grant in aid to the City for the improvements and purposes authorized hereby and the same shall be received by the City prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Union. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Union shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other

purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the City as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

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

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

Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

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

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

(b) The average period of usefulness of said improvements within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,570,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements herein before described.

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

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

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

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

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

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 9th day of March 2020.


Rayna E. Harris, City Clerk

Motion: Cox	Second: Newbury
YES:	Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Gibilisco, Newbury, Mojica
NO:	None
ABSENT:	Councilmember Miles

ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-13-20

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO WATER STORAGE TANKS FOR THE WATER UTILITY OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$525,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$525,000 BONDS OR NOTES OF THE WATER UTILITY OF THE CITY TO FINANCE THE COSTS THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken by the Water Utility (the "Water Utility") of the City of Rahway, in the County of Union, State of New Jersey (the "City"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the amount of \$525,000 by the Water Utility of the City. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required as the Water Utility is self-liquidating.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the Water Utility are hereby authorized to be issued in a principal amount not exceeding \$525,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to

temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$525,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are for the structural assessment and construction and/or improvements to water storage tanks located at 999 Hart Street and 1045 Westfield Avenue.

(b) The estimated maximum amount of bonds or notes of the City to be issued for said purposes is \$525,000.

(c) The estimated cost of said improvements or purposes is \$525,000.

(d) All such improvements or purposes described above shall include, but are not limited to, as applicable, all engineering and design work, consulting, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

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

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

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

SECTION 6. The City hereby certifies that it has adopted a capital budget or a temporary capital budget of the Water Utility of the City, as applicable. The capital budget or temporary capital budget of the Water Utility of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget of the Water Utility of the City, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

(b) The average period of usefulness of said improvements and purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is 20.47 years.

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

\$525,000 and the obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An amount not exceeding \$25,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements described in Section 3 hereof.

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

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

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

the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

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

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

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

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 9th day of March 2020.


Rayna E. Harris, City Clerk

Motion: Brown

Second: Bresenhan

YES:

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

NO:

None

ABSENT:

Councilmember Miles

ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-14-20

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

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rahway, County of Union, State of New Jersey that the current language for Chapter 401-53 shall include the following:

The City of Rahway authorizes dual enforcement agencies which shall be the Parking Enforcement Division, within the Police Department, and the Division of Parking, within the Department of Administration to enforce the Central Business District defined by the following area:

Section One:

Name of Street	Side (East / West)	Location
Hamilton Street	Both	Gordon Place to Irving Street
Central Avenue	Both	Irving Street to Campbell Street
Irving Street	Both	Whittier Street to West Milton
West Main Street	Both	Main to Irving Street
Main Street	Both	East Milton to Irving Street
Monroe	Both	Main Street to Bridge
Coach Street	Both	Irving to West Main Street
Elizabeth Avenue	Both	Irving Street to Grand Avenue
Elm Avenue	Both	West Main Street to Campbell Street
Poplar Street	Both	Irving Street to Main Street
East Cherry	Both	Main Street to Campbell Street
Lewis Street	Both	Irving Street to Dock Street
Dock Street	Both	Monroe Street to East Milton Avenue
East Milton Avenue	Both	Dock Street to Broad Street
Campbell Street	Both	Broad Street to Central Avenue
Augusta Street	Both	Lewis Street to Central Avenue
West Milton	Both	Broad Street to Fulton Avenue

Section Two:

Parking Garage 67 Lewis Street and 1436 Main Street

Section Three: Severability.

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections,

subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section Three: Effective Date.

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

Section Four: Codification.

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

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

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 9th day of March 2020.


Rayna E. Harris, City Clerk

Motion: Cox	Second: Farrar
YES:	Councilmembers Baker, Bresenhan, Brown, Cox, Farrar, Gibilisco, Newbury, Mojica
NO:	None
ABSENT:	Councilmember Miles

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-15-20

CALENDAR YEAR 2020
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the City Council of the City of Rahway in the County of Union finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the City Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$448,865 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the City Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Rahway in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the City of Rahway shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by up to 3.5 %, amounting to \$1,571,027, and that the CY 2020 municipal budget for the City of Rahway be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 9th day of March 2020.


Rayna E. Harris, City Clerk

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmember Miles