

MINUTES
COMBINED MEETING
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
JULY 16, 2019 ~ 7:00 P.M.

*"Each person addressing the Council shall first give their name and address to the Clerk.
All remarks shall be addressed to the Council as a body and not to any member thereof and, shall not exceed five (5) minutes in duration." (Chapter 5-63 (C)
Rules of Order No. 3)*

Council President Farrar called the meeting to order at 7:07 p.m. and read the Roll Call.

ROLL CALL

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

ABSENT: Councilmembers Baker and Wenson Maier

OPEN PUBLIC MEETING STATEMENT:

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

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

PLEDGE OF ALLEGIANCE and INVOCATION

Council President Farrar led the Pledge of Allegiance.

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

PRESENTATIONS

No items were offered.

REVIEW OF AGENDA

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

APPROVAL OF MINUTES

May 7, 2019	7 p.m.	Pre-Meeting Conference
May 13, 2019	7 p.m.	Regular Meeting & Executive Closed Session
June 10, 2019	7 p.m.	Combined Meeting & Executive Closed Session

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

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

Mayor Giacobbe read a brief statement.

REPORTS OF COUNCIL COMMITTEES

No reports were offered.

HEARINGS OF CITIZENS: ITEMS ON AGENDA

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

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

CONSENT AGENDA

Items listed are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council Member or Citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda.

A motion was made by Councilmember Bresenhan seconded by Councilmember Gibilisco to remove Resolutions **AR-177-19** to the Consent Agenda, and was adopted by the following vote:

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

ABSENT: Councilmembers Baker and Wenson Maier

Council President Farrar declared the motion carried.

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

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

ABSENT: Councilmembers Baker and Wenson Maier

Council President Farrar declared the motion carried.

ORDINANCES - FIRST READING

O-16-19	<p>AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING 980 LEESVILLE AVENUE</p> <p>Motion to introduce the above entitled Ordinance O-16-19 on first reading was made by Councilmember Farrar, seconded by Councilmember Mojica and adopted by the following vote:</p> <p>YES: Councilmembers Bresenhan, Brown, Cox, Gibilisco, Miles, Mojica, and Farrar</p> <p>ABSENT: Councilmembers Baker and Wenson Maier</p> <p>Council President Farrar declared the motion carried.</p>
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**ORDINANCE
CITY OF RAHWAY, NEW JERSEY**

No. **O-16-19**

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

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

Section 1. “Chapter 401: Vehicles and Traffic, § 401-79 Schedule XXI: Handicapped Parking

Add:

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

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

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

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

<p>O-17-19</p>	<p>AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING 1204 JAQUES AVENUE</p> <p>Motion to introduce the above entitled Ordinance O-17-19 on first reading was made by Councilmember Farrar, seconded by Councilmember Mojica and adopted by the following vote:</p> <p>YES: Councilmembers Bresenhan, Brown, Cox, Gibilisco, Miles, Mojica, and Farrar</p> <p>ABSENT: Councilmembers Baker and Wenson Maier</p> <p>Council President Farrar declared the motion carried.</p>
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**ORDINANCE
CITY OF RAHWAY, NEW JERSEY**

No. **O-17-19**

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

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

Section 1. “Chapter 401: Vehicles and Traffic, § **401-79 Schedule XXI: Handicapped Parking**

Add:

In front of 1204 Jaques Avenue
West Side- Beginning at a point 118 feet South of the intersection of Milton Avenue extending to point 22 feet South thereof.

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

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

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

City Clerk Rayna E. Harris read the following:

This Ordinance is declared adopted on first reading and the City Clerk is hereby authorized and directed to advertise said notice of its introduction and passage according to law. This Ordinance will come up for Public Hearing and further action at a Council Meeting on August 12, 2019 at 7 p.m. or at any time and place to which the meeting for the further consideration of the ordinances shall be adjourned.

RESOLUTIONS

Department of Administration

AR-154-19	RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE CITY OF RAHWAY TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT (CDBG Annual Shared Services Agreement)
AR-155-19	RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO TIMOTHY HAAHS & ASSOCIATES, INC. FOR PARKING ENGINEERING SERVICES
AR-177-19	AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CONSTELLATION NEWENERGY, INC., FOR THE SUPPLY OF ELECTRICITY TO RESIDENTIAL PARTICIPANTS OF THE CITY OF RAHWAY’S ENERGY AGGREGATION PROGRAM Motion to adopt the above Resolution AR-177-19 as amended was made by Councilmember Farrar, seconded by the Councilmember Mojica and adopted by the following vote: YES: Councilmembers Bresenhan, Brown, Cox, Gibilisco, Miles, Mojica, and Farrar ABSENT: Councilmembers Baker and Wenson Maier Council President Farrar declared the motion carried.

Department of Community Development

AR-156-19	APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR VARIOUS STREETS 2020 - RAHWAY
AR-157-19	RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO TILCON NEW YORK, INC. FOR ROADWAY RESURFACING FOR 2019 (PHASE II)
AR-158-19	APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2020 SAFE STREETS TO TRANSIT APPLICATION FOR THE MAIN STREET BOULEVARD IMPROVEMENTS
AR-159-19	RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO B&W CONSTRUCTION CO. OF NJ INC., FOR STORMWATER SYSTEM IMPROVEMENTS ON MIDWOOD DRIVE, PURSUANT TO N.J.S.A 40A11-6
AR-160-19	RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO PROVIDE

	CERTIFIED HEALTH EDUCATION SERVICES IN ACCORDANCE WITH PUBLIC HEALTH PRACTICE STANDARDS
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Department of Revenue and Finance

AR-161-19	RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE CITY OF RAHWAY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) RSI BANK – THOMAS GRAHILL TRUST
AR-162-19	RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE CITY OF RAHWAY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948) NJ ALCOHOL EDUCATION ENFORCEMENT FUND
AR-163-19	RESOLUTION ADOPTING THE CITY OF RAHWAY 2019 SPECIAL IMPROVEMENT DISTRICT BUDGET
AR-164-19	RESOLUTION (A) PROVIDING FOR THE COMBINATION OF CERTAIN BOND ORDINANCES AND DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF \$10,050,000 GENERAL OBLIGATION BONDS, SERIES 2019 CONSISTING OF \$3,875,000 GENERAL IMPROVEMENT BONDS, SERIES 2019, \$2,275,000 SEWER UTILITY BONDS, SERIES 2019, AND \$3,900,000 WATER UTILITY BONDS, SERIES 2019 OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE “CITY”) AND PROVIDING FOR THEIR SALE AND (B) AUTHORIZING THE SALE AND ISSUANCE OF \$11,004,000 GENERAL OBLIGATION NOTES, SERIES 2019 CONSISTING OF \$10,254,000 GENERAL IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2019 AND \$750,000 PARKING UTILITY BOND ANTICIPATION NOTES, SERIES 2019
AR-165-19	RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES FOR 2014 & 2017 TAX LIENS

Department of Police

AR-166-19	RESOLUTION AUTHORIZING THE PURCHASE OF THREE 2020 CHEVROLET POLICE VEHICLES UNDER NEW JERSEY STATE CONTRACT FOR THE RAHWAY POLICE DEPARTMENT
AR-167-19	RESOLUTION OF THE CITY OF RAHWAY AUTHORIZING THE AWARD OF A CONTRACT TO USGOVBID/AUCTION LIQUIDATION SERVICES AND THE SALE ON AN ONLINE AUCTION WEBSITE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE

Department of Public Works

AR-168-19	RESOLUTION AUTHORIZING PARTICIPATION OF THE CITY OF RAHWAY IN THE 2019 “GREENING UNION COUNTY” GRANT PROGRAM
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Department of Recreation and Senior Services

AR-169-19	RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY TO APPLY FOR THE UNION COUNTY KIDS RECREATION TRUST FUND GRANT AND ENTER INTO A CONTRACT THERETO
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Office of the City Clerk

AR-170-19	RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF 365-1 THROUGH 365-3 (SIDEWALK ENCUMBRANCES) AND 365-50 THROUGH 365-51 (CLOSING OF STREETS) OF THE CODE OF THE CITY OF RAHWAY (2019 CULTURE CRAWL - SEMINARY AVENUE)
AR-171-19	RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF A MEMBER TO THE MUNICIPAL BOARD OF ALCOHOLIC BEVERAGE CONTROL

AR-172-19	RESOLUTION APPOINTING A MEMBER OF THE RAHWAY ENVIRONMENTAL COMMISSION
AR-173-19	RESOLUTION APPOINTING AN ALTERNATE MEMBER OF THE PLANNING BOARD
AR-174-19	RESOLUTION URGING THE LEGISLATURE TO INCREASE THE PROPERTY TAX DECUTION FOR SENIOR CITIZENS AND VETERANS
AR-175-19	RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF 365-1 THROUGH 365-3 (SIDEWALK ENCUMBRANCES) AND 365-50 THROUGH 365-51 (CLOSING OF STREETS) OF THE CODE OF THE CITY OF RAHWAY (BLOCK PARTIES)

ORDINANCES – FINAL ADOPTION/SECOND READING

O-15-19	<p>BOND ORDINANCE PROVIDING FOR AID TO A REDEVELOPMENT PROJECT LOCATED IN THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA ON BLOCK 318, LOTS 1-10, 1.02 & 13 AND BLOCK 318.01, LOT 1.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE “CITY”); APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,000,000 IN BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF</p> <p>Council President Farrar opened the Public Hearing on this matter and asked if any citizen wished to be heard, to approach the rail, give his/her name and address and be heard.</p> <p>With no one appearing, Council President Farrar closed the Public Hearing.</p> <p>Motion to introduce the above entitled Ordinance O-15-19 on first reading was made by Councilmember Farrar, seconded by the entire Councilmember Miles and adopted by the following vote:</p> <p>YES: Councilmembers Bresenhan, Brown, Cox, Gibilisco, Miles, Mojica, and Farrar</p> <p>ABSENT: Councilmembers Baker and Wenson Maier</p> <p>Council President Farrar declared the motion carried.</p>
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ADOPTED ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. **O-15-19**

BOND ORDINANCE PROVIDING FOR AID TO A REDEVELOPMENT PROJECT LOCATED IN THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA ON BLOCK 318, LOTS 1-10, 1.02 & 13 AND BLOCK 318.01, LOT 1.01 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE “CITY”); APPROPRIATING \$2,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,000,000 IN BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

WHEREAS, the Municipal Council of the City of Rahway, in the County of Union, State of New Jersey (the “City”) designated Block 318, Lots 1-10, Lot 1.02 & Lot 13, and Block 318.01, Lot 1.01 (collectively, the “Property”) as an “area in need of redevelopment” (the “Redevelopment Area”) and

adopted the Amended and Supplemental Central Business District Redevelopment Plan on March 11, 2013 (the "**Plan**"); and

WHEREAS, the Property is owned by Dornoch Rahway II Urban Renewal, LLC and consists of vacant, unimproved land; and

WHEREAS, Dornoch Rahway II, LP made a presentation to the Board of Commissioners of the Rahway Redevelopment Agency (the "Agency") on December 5, 2012 regarding its proposal to develop a residential project comprised of approximately two hundred and eight (208) market rate rental units on the Property and on January 9, 2013, the Agency designated Dornoch Rahway II, LP as conditional redeveloper of the Property for a 120-day period; and

WHEREAS, Dornoch Rahway II, LP created a new entity to act as the redeveloper for the Project known as Dornoch Rahway II Urban Renewal, L.L.C., which entity is owned and controlled by Dornoch Rahway II, LP and its affiliates, and whose manager is Coro Free GP, a Delaware partnership, and whose members may include Asloseventeen Investments II, LP, a Delaware limited partnership, Aldinville Trading Inc., a Panama corporation, Simba BV, a Dutch entity, S.J. DeRijk BV, a Dutch entity, Beheermij Wayne Stein LLC, Mibel Investments, Inc., and Slokker Invest BV, a Dutch entity (with potential additional members holding less than twenty (20%) per cent ownership interest) (the "**Redeveloper or Entity**"); and

WHEREAS, the Entity was created for the purposes of acquiring, owning, holding, developing, maintaining, financing, mortgaging, improving, operating, leasing, managing, using, refinancing, selling, subdividing, or otherwise deal with the Property; and

WHEREAS, pursuant to and in accordance with the provisions of the Long Term Tax Exemption Law, constituting Chapter 431 of the Pamphlet Laws of 1991 of the State, and the acts amendatory thereof and supplement thereto, N.J.S.A. 40A:20-1 et seq. (the "**Long Term Tax Exemption Law**"), the City is authorized to provide for tax abatement within a redevelopment area and for payments in lieu of taxes; and

WHEREAS, on October 1, 2014, the Agency and the Redeveloper entered into that certain agreement (the "**Redevelopment Agreement**") governing the redevelopment of the Property; and

WHEREAS, the Redeveloper has approved plans to construct a project on the Property consisting of 208 market rate residential rental units with residential amenities, together with ground floor retail space, parking and other improvements in two phases (collectively, the "**Project**"); and

WHEREAS, Phase 1 of the Project is under construction and shall consist of 116 residential units to be completed by January 2020 and Phase 2 construction shall be based on completion and lease up of Phase 1 and is scheduled to begin in July 2020 and be completed in December 2021; and

WHEREAS, on or about January 30, 2014, the Redeveloper filed an application with the City for approval of a long term tax exemption for the Project; and

WHEREAS, by the adoption of Ordinance #0-9-14 on April 14, 2014 (the "**Ordinance**"), the City Council approved the tax exemption application and authorized the execution of a Financial Agreement for the Project; and

WHEREAS, on October 14, 2014, Redeveloper and the City entered into a Financial Agreement with respect to the Project (the "**2014 Financial Agreement**"); and

WHEREAS, for the Project to proceed the Redeveloper needs to incur substantial costs for environmental investigation and remediation and for public infrastructure improvements, including the extension of Monroe Street from Main Street to Cherry Street, streetscape improvements, utilities and provision of public parking (collectively, the "**Infrastructure Improvements**"), and as a result, development of the Project by Redeveloper is not economically feasible absent financial assistance by the City; and

WHEREAS, the City intends to issue bonds, bond anticipation notes, or other obligations, pursuant to the applicable provisions of the Local Bond Law, N.J.S.A. 40A:2- 1 et seq. (the "**Local Bond Law**"), Section 37 of the Redevelopment Law and the Redevelopment Area Bond Financing Law, N.J.S.A. 40A:12A-64 et seq. (the "**RAB Law**"), in an amount not to exceed \$2,000,000 (the "Bonds"), which amount shall be sufficient to yield proceeds of not less than \$1,500,000.00 for costs of construction of the Project, including the Infrastructure Improvements; and

WHEREAS, the provisions of the Long Term Tax Exemption Law and the RAB Law authorize the City to accept, in lieu of real property taxes, an Annual Service Charge to be paid by the Entity to the City; and

WHEREAS, the Entity has agreed to make payment of the Annual Service Charge to the City or its designee, which Annual Service Charge shall be available and sufficient to pay debt service due on the Bonds, and/or any other lawful governmental purpose in the exercise of the City's sole discretion.

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

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the City of Rahway, in the County of Union, State of New Jersey (the "City"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$2,000,000. Pursuant to Section 37(c)(2) of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "**Redevelopment Law**"), no down payment is required,

notwithstanding the requirements of Section 11 of the Local Bond Law, because the improvements and purposes set forth in Section 3 constitute a “redevelopment project” under the Redevelopment Law.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount not exceeding \$2,000,000 pursuant to and within the limitations prescribed by the Local Bond Law and the Redevelopment Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the City in a principal amount not exceeding \$2,000,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law and the Redevelopment Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are to assist the Redeveloper in funding and paying for a portion of the costs of constructing the Project, including a portion of the cost of the Infrastructure Improvements, and also including all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$2,000,000.

(c) The estimated cost of said improvement or purpose is \$2,000,000.

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

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

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

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

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. They are improvements the City may lawfully undertake as general improvements within the Redevelopment Area described in the Plan, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 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 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 \$2,000,000 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 \$250,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

(e) Pursuant to N.J.S.A. 40A:12A-37(c), the obligations authorized herein shall mature in annual installments commencing not more than two (2) and ending not more than forty (40) years from the date of issuance.

(f) The obligations of the City authorized by this bond ordinance shall bear interest at a maximum rate of not to exceed nine (9.00%) per centum per annum, without further authorization of the City Council, which authorization may be by resolution.

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

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

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

SECTION 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

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

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

MISCELLANEOUS (Unfinished Business)

No items were offered.

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

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

COUNCIL COMMENT: (Three Minutes per Member)

The Council Members offered their remarks.

EXECUTIVE CLOSED SESSION

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

A motion was made by Councilmember Bresenhan and seconded by Councilmember Cox to adopt **Resolution AR-176-19** to enter into Executive Closed Session at 7:48 p.m. The Resolution was adopted as follows.

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

ABSENT: Councilmembers Baker and Wenson Maier

Council President Farrar declared the motion carried.

AR-176-19	RESOLUTION AUTHORIZING AN EXECUTIVE CLOSED SESSION <u>SUBJECT MATTER</u> 1. Matters related to personnel 2. Matters related to pending or anticipated litigation 3. Matters falling within the attorney-client privilege
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Motion was made by Councilmember Bresenhan and seconded by Councilmember Cox to conclude the Executive Closed Session and return to the normal order of business at 8:01p.m.

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

ABSENT: Councilmembers Baker and Wenson Maier

Council President Farrar declared the motion carried.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-176-19

Date of Adoption: July 16, 2019

RESOLUTION AUTHORIZING AN EXECUTIVE CLOSED SESSION

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

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

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

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

SUBJECT MATTER

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

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

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

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Bresenhan; seconded by Councilmember Cox at 8:01p.m.

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

ABSENT: Councilmembers Baker and Wenson Maier

Council President Farrar declared the motion carried.

Approved:

Rayna E. Harris, City Clerk

Rodney Farrar, Council President

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-154-19

Date of Adoption: July 16, 2019

RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE CITY OF RAHWAY TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT (CDBG Annual Shared Services Agreement)

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

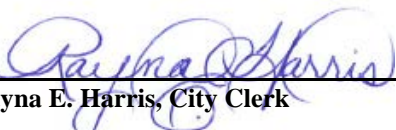
WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the City of Rahway and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the agreement entitled "**COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES**," dated June 2014, as amended in 2017 for the Purpose of Inserting a Description of Activities for Fiscal Year 2019-2020 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Shelter Grant program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.



Rayna E. Harris, City Clerk

Motion: Farrar

Second: Mojica

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-156-19

Date of Adoption: July 16, 2019


APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR VARIOUS STREETS 2020 - RAHWAY

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Rahway formally approves the grant Application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2020 – Various Streets - Rahway - 00404** to the New Jersey Department of Transportation on behalf of the City of Rahway.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Rahway and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement and approves the execution of the grant agreement.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.



Rayna E. Harris, City Clerk

Motion: Brown

Second: Bresenhan

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

ABSENT: Councilmembers Baker and Wenson Maier

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
Rayna E. Harris, City Clerk

Raymond A. Giacobbe, Mayor

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-157-19

Date of Adoption: July 16, 2019

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO TILCON NEW YORK, INC. FOR ROADWAY RESURFACING FOR 2019 (PHASE II)

WHEREAS, the Morris County Cooperative Pricing Council (“MCCPC”) was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and,

WHEREAS, by resolution AR-50-17, the City of Rahway entered into an agreement with the MCCPC to take advantage of the cooperative pricing system;

WHEREAS, the City is in need of the services of a roadway resurfacing contractor to mill and pave select roadways;

WHEREAS, the MCCPC accepted a bid from Tilcon New York, Inc. for roadway resurfacing services on August 20, 2018;

WHEREAS, pursuant to N.J.S.A 40A:11-11 the City may award a contract to a vendor approved by MCCPC,


WHEREAS, this project is in the best interest of the health, safety, and welfare of the general public in the City of Rahway.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Rahway, Union County, New Jersey that the above referenced construction project is awarded to Tilcon New York, Inc., 9 Entin Road, Parsippany, New Jersey, 07054 with a total contract not to exceed \$51,264.95. Improvements shall be performed under the direction of the City Engineer.

BE IT FURTHER RESOLVED, by the City Council of the City of Rahway, that the appropriate officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

The Chief Financial Officer of the City of Rahway certifies that there are legally appropriated sufficient funds within the General Capital Fund –Ordinance O-5-19 to cover the cost of this contract. This certification is required on all contracts as per regulations of the Director of Local Government Services.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.



Rayna E. Harris, City Clerk

Motion: Farrar

Second: Gibilisco

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-158-19

Date of Adoption: July 16, 2019

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2020 SAFE STREETS TO TRANSIT APPLICATION FOR THE MAIN STREET BOULEVARD IMPROVEMENTS

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council for the City of Rahway formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as "SST-2020-Rahway City-00045" to the New Jersey Department of Transportation on behalf of the City of Rahway.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Rahway and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.


Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.

Motion: Cox

Second: Miles

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

ABSENT: Councilmembers Baker and Wenson Maier



Rayna E. Harris, City Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
Rayna E. Harris, City Clerk

Raymond A. Giacobbe, Mayor

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-159-19

Date of Adoption: July 16, 2019

RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO B&W CONSTRUCTION CO. OF NJ INC., FOR STORMWATER SYSTEM IMPROVEMENTS ON MIDWOOD DRIVE, PURSUANT TO N.J.S.A 40A11-6

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 the extremely high groundwater conditions in the area, five (5) residential sump pump discharges from 1153, 1163, 1171, 1179 and 1189 Midwood Drive were causing very hazardous ponding conditions along and across the pavement of Midwood Drive; and

WHEREAS, B&W Construction Co. of NJ Inc. (the “Contractor”) submitted a bid to construct a sump pump collection system on Midwood Drive; and

WHEREAS, the work included the disconnection of the five (5) sump pump discharge pipes from the curb face and construct two (2) 8 inch drainage collection pipe systems, one (1) 102 lineal feet and one (1) 357 lineal feet, and connect both systems into the existing Midwood Drive storm sewer system and restorations to the disturbed areas.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rahway in the County of Union, that a contract with B&W Construction Co. of NJ Inc, for said work in the amount of Ninety Nine Thousand, Four Hundred Eight Dollars and Seventy Seven Cents (\$99,408.77) is hereby ratified and authorized pursuant to N.J.S.A, 40:11-6(b).

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.


Rayna E. Harris, City Clerk

Motion: Mojica

Second: Cox

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-160-19

Date of Adoption: July 16, 2019

RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO PROVIDE CERTIFIED HEALTH EDUCATION SERVICES IN ACCORDANCE WITH PUBLIC HEALTH PRACTICE STANDARDS

WHEREAS, Public Health Practice Standards N.J.A.C. 8:52-1 et seq. promulgated by the New Jersey State Department of Health and Senior Services, Division of Local Health and Emergency Services provide a model system for local public health activities; and

WHEREAS, a core component of Public Health Practice Standards includes performance monitoring and evaluation of local programming and services; and

WHEREAS, local health departments are expected to conduct community surveys, health risk assessments, resource inventories and form public health partnerships with outside agencies and disciplines; and

WHEREAS, The City of Rahway provides public health services for the Townships of Hillside, Berkeley Heights, Scotch Plains, and Winfield, and City of Rahway; and

WHEREAS, in order to accomplish the objectives of the Public Health Practice Standards, the Comprehensive Medical Solutions, LLC. to provide Health Education services mandated by New Jersey Department of Health and Senior Services; and

WHEREAS, Comprehensive Medical Nutrition Solutions, LLC has submitted a proposal to perform the necessary services at a rate of \$84.00 per hour, not to exceed \$1,000 per month; and

WHEREAS, The City intends to enter into an agreement with Comprehensive Medical Nutrition Solutions, LLC for a contract term effective September 1, 2019 to December 31, 2019, with the option to renew the agreement up to two additional six (6) month terms; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq) requires that resolutions authorizing the award of bids for a professional contract without competitive bids must be publicly advertised.

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


1. The Mayor and City Clerk are hereby authorized and directed to execute on behalf of the City, an agreement with the Comprehensive Medical Nutrition Solutions, LLC, 128 Farm

Lane, Bound Brook, New Jersey 08805, for certified health education specialist services associated with this work.

2. That the compensation for such Agreement shall be in an amount not to exceed \$16,000.00.
3. This agreement is awarded without competitive bidding as a "Professional Service Agreement" under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5). Because "Professional Services" means services rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type pursuant to N.J.S.A. 40A:11-2 (6); and
4. A copy of this resolution shall be advertised according to law within ten (10) days of its passage.

The Chief Financial Officer of City of Rahway certifies that there are legally appropriated sufficient funds within the Current Fund Account 01-201-27-330-197, to cover the cost of this contract. This certification is required on all contracts as per regulations of the Director of Local Government Services.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.



Rayna E. Harris, City Clerk

Motion: Gibilisco

Second: Bresenhan

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-161-19

Date of Adoption: July 16, 2019

**RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE
IN THE BUDGET OF THE CITY OF RAHWAY PURSUANT TO
N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)
RSI BANK – THOMAS GRAHILL TRUST**

WHEREAS, N.J.S.A. 40A: 4-87 provided that the Director of Local Government Services may approve the insertion of any special item of revenue in the Budget of any County or Municipality when such items shall have been made available by law and the amount thereof was undetermined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, and State of New Jersey hereby requests that the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year 2019 Budget in the sum of \$5,000.000 which is now available as revenue from:

**PUBLIC & PRIVATE REVENUES – OFFSET BY APPROPRIATIONS:
RSI BANK – THOMAS GRAHILL TRUST \$5,000.00**


BE IT FURTHER RESOLVED that a like sum of \$5,000.00 and the same is hereby appropriated under the caption of General Appropriations Excluded from “CAPS”

**PUBLIC & PRIVATE PROGRAMS – OFFSET BY REVENUES:
RSI BANK – THOMAS GRAHILL TRUST \$5,000.00**

BE IT FURTHER RESOLVED that the above is a result of a grant from RSI BANK, Rahway, NJ.

BE IT FURTHER RESOLVED that three (3) certified copies of this resolution be submitted to the Director of the Division of Local Government Services.

**Certified to be a true copy of a Resolution
adopted by the Municipal Council of the City
of Rahway at the duly held Meeting on the
16th day of July 2019.**



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-162-19

Date of Adoption: July 16, 2019

**RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN
THE BUDGET OF THE CITY OF RAHWAY PURSUANT TO
N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)
NJ ALCOHOL EDUCATION ENFORCEMENT FUND**

WHEREAS, N.J.S.A. 40A: 4-87 provided that the Director of Local Government Services may approve the insertion of any special item of revenue in the Budget of any County or Municipality when such items shall have been made available by law and the amount thereof was undetermined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, and State of New Jersey hereby requests that the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year 2019 Budget in the sum of \$1,205.00 which is now available as revenue from:

**PUBLIC & PRIVATE REVENUES – OFFSET BY APPROPRIATIONS:
NJ ALCOHOL EDUCATION ENFORCEMENT FUND \$1,205.00**

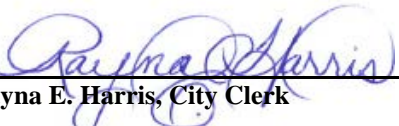
BE IT FURTHER RESOLVED that a like sum of \$1,205.00 and the same is hereby appropriated under the caption of General Appropriations Excluded from “CAPS”.

**PUBLIC & PRIVATE PROGRAMS – OFFSET BY REVENUES:
NJ ALCOHOL EDUCATION ENFORCEMENT FUND \$1,205.00**

BE IT FURTHER RESOLVED that the above is a result of a grant from the State of New Jersey.

BE IT FURTHER RESOLVED that three (3) certified copies of this resolution be submitted to the Director of the Division of Local Government Services.

**Certified to be a true copy of a Resolution
adopted by the Municipal Council of the City
of Rahway at the duly held Meeting on the
16th day of July 2019.**



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-163-19

Date of Adoption: July 16, 2019

RESOLUTION ADOPTING THE CITY OF RAHWAY 2019 SPECIAL IMPROVEMENT DISTRICT BUDGET

BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, that the budget herein before set forth is hereby adopted and shall authorize an appropriation for the purposes stated on the sums therein of the amount of \$750,000 for Special Improvement District purposes.

Rahway Arts & Business Partnership Approved Budget 2019

INCOME

Prior Year Assessments	\$	610,000.00
SID Levy		\$130,000.00
Taste of Spring		\$10,000.00


Total Income		<u><u>\$750,000.00</u></u>
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EXPENSE

Accounting Fees		\$3,800.00
Bookkeeper		\$2,000.00
Attorney Retainer		\$1,500.00
Executive Team		\$115,000.00
	Managing Director	\$40,000.00
	Executive Director	\$25,000.00
	Additional	\$50,000.00
Insurance		\$3,200.00
Annual Report		\$50.00
Conference & Meals		\$2,000.00
Consulting		\$5,000.00
Internet Expense		\$1,600.00
Marketing/Communications		\$10,000.00
Office Equipment		\$200.00
Office Expense		\$500.00
Payroll Processing		\$750.00

Payroll Taxes	\$5,700.00
Printing	\$1,500.00
Programming	\$37,200.00
Aesthetic Improvements	\$300,000.00
Directional Signage	\$20,000.00
Comcast Services	\$100,000.00
Parking Inventory	\$140,000.00
	<hr/>
	\$750,000.00
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Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.



Rayna E. Harris, City Clerk

Motion: Brown

Second: Mojica

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-164-19

Date of Adoption: July 16, 2019

RESOLUTION (A) PROVIDING FOR THE COMBINATION OF CERTAIN BOND ORDINANCES AND DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF \$10,050,000 GENERAL OBLIGATION BONDS, SERIES 2019 CONSISTING OF \$3,875,000 GENERAL IMPROVEMENT BONDS, SERIES 2019, \$2,275,000 SEWER UTILITY BONDS, SERIES 2019, AND \$3,900,000 WATER UTILITY BONDS, SERIES 2019 OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "CITY") AND PROVIDING FOR THEIR SALE AND (B) AUTHORIZING THE SALE AND ISSUANCE OF \$11,004,000 GENERAL OBLIGATION NOTES, SERIES 2019 CONSISTING OF \$10,254,000 GENERAL IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2019 AND \$750,000 PARKING UTILITY BOND ANTICIPATION NOTES, SERIES 2019

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the City of Rahway, in the County of Union (the "City"), a municipal corporation of the State of New Jersey, authorized pursuant to the bond ordinances of the City heretofore adopted and described in Section 2 hereof, shall be combined into a single issue of General Improvement Bonds, Series 2019 in the aggregate principal amount of \$3,875,000 (the "General Improvement Bonds").

Section 2. The bond ordinances to be combined into a single issue of General Improvement Bonds as provided above, and described by reference to the ordinance number, description and date of final adoption, amount of issue and period of usefulness are, respectively, as follows:

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
O-13-15	Acquisition and Installation of Police Body Cameras and Associated Equipment, finally adopted 6/16/15	\$89,592	5 years
O-14-15	2015 Road Reconstruction and Resurfacing Program, finally adopted 7/13/15	\$551,595	15 years
O-19-15	Various 2015 Capital Improvements, finally adopted 8/10/15	\$904,760	7.45 years
O-27-15	Improvements to Crosswalk at East Milton Avenue and Lenox Place, finally adopted 9/14/15	\$47,500	10 years
O-35-15	2015 Basketball and Tennis Court Improvements, finally adopted 11/9/15	\$104,760	10 years
O-9-16	Environmental Remediation and Various Properties, finally adopted 5/9/16	\$214,285	5 years
O-18-16	2016 Road Reconstruction and Resurfacing Program, finally adopted 7/11/16	\$694,175	15 years
O-14-17, as amended by O-27-17	2017 Road Reconstruction and Resurfacing Program, finally adopted 6/12/17, as amended on 9/5/17	\$1,268,333	15 years
TOTALS		<u>\$3,875,000</u>	

Section 3. The following matters are hereby determined with respect to the combined issue of General Improvement Bonds:

(a) The average period of usefulness, computed on the basis of the respective principal amounts of General Improvement Bonds presently authorized to be issued pursuant to each of the bond ordinances described in Section 2 above and the

respective period or average periods of usefulness determined therein, is not more than 12.26 years.

(b) The General Improvement Bonds of the combined issue shall be designated “General Improvement Bonds, Series 2019” and shall mature within the average period of usefulness determined in Section 3(a) above.

(c) The General Improvement Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the “Local Bond Law”), specifically N.J.S.A. 40A:2-26(f), that are applicable to the sale and issuance of bonds authorized by a single bond ordinance and, accordingly, may be sold with other issues of bonds.

(d) The General Improvement Bonds will be used to: (i) refund, on a current basis, a \$3,731,383 portion (along with a \$4,838 budgeted paydown of the City) of prior bond anticipation notes of the City issued in the aggregate principal amount of \$4,688,453 on August 1, 2018 and maturing on August 1, 2019, (ii) permanently finance various capital improvements in the amount of \$143,617 and (iii) pay the costs associated with the issuance of the General Improvement Bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the General Improvement Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded heretofore, and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the bond ordinances set forth in Section 2 hereof.

(b) The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may lawfully be issued pursuant to the Local Bond Law.

Section 5. The General Improvement Bonds shall mature in the principal amounts on July 15 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2020	\$ 215,000	2026	\$335,000
2021	230,000	2027	355,000
2022	250,000	2028	375,000
2023	270,000	2029	395,000
2024	290,000	2030	415,000
2025	315,000	2031	430,000

The General Improvement Bonds are subject to redemption prior to their stated maturities in accordance with the terms provided in the Notice of Sale authorized

herein and attached hereto as Exhibit D. The General Improvement Bonds shall be twelve (12) in number, with one bond certificate being issued for each year of maturity, and shall be designated and numbered GI-1 to GI-12, inclusive.

Section 6. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the City, authorized pursuant to the bond ordinances of the City heretofore adopted and described in Section 7 hereof, shall be combined into a single issue of Sewer Utility Bonds, Series 2019 in the aggregate principal amount of \$2,275,000 (the “Sewer Utility Bonds”).

Section 7. The bond ordinances to be combined into a single issue of Sewer Utility Bonds as provided above, and described by reference to the ordinance number, description and date of final adoption, amount of issue and period of usefulness determined are, respectively, as follows:

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
O-11-09, as amended by O-21-09	Wastewater Improvements, finally adopted 3/9/09, as amended on 6/1/09	\$261,004	40 years
O-41-11	Sewer System Improvements, finally adopted 1/9/12	\$35,824	35.5 years
O-34-12	Improvements to Donald Avenue Storm Sewer, finally adopted 12/10/12	\$123,046	20 years
O-36-13, as amended by O-25-14	Emergency Sinkhole Repair, finally adopted 9/9/13, as amended on 8/11/14	\$479,486	20 years
O-45-13	Flood Control Mitigation Project, finally adopted 11/12/13	\$284,614	20 years
O-29-14	Improvement of the Storm Sewer on Kline Place, finally adopted 8/11/14	\$341,026	20 years
O-6-16	Sewer Utility Inflow and Infiltration Project (Phase III), finally adopted 4/11/16	\$425,000	5 years

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
O-19-16	Improvements of the Witherspoon Street Outfall and Monroe Street Sewer Lines, finally adopted 7/11/16	<u>\$325,000</u>	20 years
TOTALS		<u>\$2,275,000</u>	

Section 8. The following matters are hereby determined with respect to the combined issue of Sewer Utility Bonds:

(a) The average period of usefulness, computed on the basis of the respective principal amounts of Sewer Utility Bonds presently authorized to be issued pursuant to each of the bond ordinances described in Section 7 above and the respective period or average periods of usefulness therein determined, is not more than 19.74 years.

(b) The Sewer Utility Bonds of the combined issue shall be designated "Sewer Utility Bonds, Series 2019" and shall mature within the average period of usefulness determined in Section 8(a) above.

(c) The Sewer Utility Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law, specifically N.J.S.A. 40A:2-26(f), that are applicable to the sale and issuance of bonds authorized by a single bond ordinance and, accordingly, may be sold with other issues of bonds.

(d) The Sewer Utility Bonds will be used to: (i) refund, on a current basis, a \$2,275,000 portion (along with \$40,413 budget paydown and \$4,248 canceled funds of the City) of prior bond anticipation notes of the City issued in the aggregate principal amount of \$2,319,661 on August 1, 2018 and maturing on August 1, 2019 and (ii) pay the costs associated with the issuance of the Sewer Utility Bonds.

Section 9. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the Sewer Utility Bonds described in Section 7 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 7 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the bond ordinances set forth in Section 7 hereof.

(b) The several purposes or improvements authorized by the respective bond ordinances described in Section 7 hereof are purposes for which bonds may lawfully be issued pursuant to the Local Bond Law and debt issued pursuant to the bond ordinances described in Section 7 thereof, if applicable and permitted by law, and provided that the

Sewer Utility of the City is self-liquidating, are deductible from gross debt in any annual or supplemental debt statement of the City.

Section 10. The Sewer Utility Bonds shall mature in the principal amounts on July 15 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2020	\$85,000	2030	\$130,000
2021	85,000	2031	130,000
2022	85,000	2032	130,000
2023	100,000	2033	130,000
2024	120,000	2034	130,000
2025	120,000	2035	130,000
2026	120,000	2036	130,000
2027	130,000	2037	130,000
2028	130,000	2038	130,000
2029	130,000		

The Sewer Utility Bonds are subject to redemption prior to their stated maturities in accordance with the terms provided in the Notice of Sale authorized herein and attached hereto as Exhibit D. The Sewer Utility Bonds shall be nineteen (19) in number, with one bond certificate being issued for each year of maturity, and shall be designated and numbered SU-1 to SU-19, inclusive.

Section 11. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the bonds of the City, authorized pursuant to the bond ordinances of the City heretofore adopted and described in Section 12 hereof, shall be combined into a single issue of Water Utility Bonds, Series 2019 in the aggregate principal amount of \$3,900,000 (the "Water Utility Bonds").

Section 12. The bond ordinances to be combined into a single issue of Water Utility Bonds as provided above, and described by reference to the ordinance number, description and date of final adoption, amount of issue and period of usefulness are, respectively, as follows:

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
O-36-09, as amended by O-13-10	Various Water System Improvements, finally adopted 9/14/09, as amended on 5/10/09	\$1,312,858	40 years

<u>Ordinance Number</u>	<u>Description and Date of Final Adoption</u>	<u>Amount of Issue</u>	<u>Useful Life</u>
O-42-09	Water System Improvements Relating to the Monroe Street Bridge Project, finally adopted 11/9/09	\$140,505	40 years
O-15-12	Various 2012 Capital Improvements to the Water System, finally adopted 5/14/12	\$496,889	8.31 years
O-30-12, As amended by O-23-13	Replacement of the Water Main on Hamilton Street, finally adopted 11/7/12, as amended on 6/12/13	\$1,149,748	20 years
O-12-17	Water Main Improvements, finally adopted 6/12/17	<u>\$800,000</u>	20 years
TOTALS		<u>\$3,900,000</u>	

Section 13. The following matters are hereby determined with respect to the combined issue of Water Utility Bonds:

(a) The average period of usefulness, computed on the basis of the respective principal amounts of Water Utility Bonds presently authorized to be issued pursuant to each of the bond ordinances described in Section 12 and the respective period or average periods of usefulness therein determined, is not more than 25.96 years.

(b) The Water Utility Bonds of the combined issue shall be designated "Water Utility Bonds, Series 2019" and shall mature within the average period of usefulness determined in Section 13(a) above.

(c) The Water Utility Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law, specifically N.J.S.A. 40A:2-26(f), that are applicable to the sale and issuance of bonds authorized by a single bond ordinance and, accordingly, may be sold with other issues of bonds.

(d) The Water Utility Bonds will be used to: (i) refund, on a current basis, a \$3,900,000 portion (along with \$105,327 budgeted paydown and \$58,559 canceled funds of the City) of prior bond anticipation notes of the City issued in the aggregate principal amount of \$4,063,886 on August 1, 2018 and maturing on August 1, 2019 and (ii) pay the costs associated with the issuance of the Water Utility Bonds.

Section 14. The following additional matters are hereby determined, declared, recited and stated:

(a) None of the Water Utility Bonds described in Section 12 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 12 have not been rescinded heretofore and now remain in full force and effect as authorizations for the respective amounts of bonds set opposite the descriptions of the bond ordinances set forth in Section 12 hereof.

(b) The several purposes or improvements authorized by the respective bond ordinances described in Section 12 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and debt issued pursuant to the bond ordinances described in Section 12 thereof, if applicable and permitted by law, and provided that the Water Utility of the City is self-liquidating, are deductible from gross debt in any annual or supplemental debt statement of the City.

Section 15. The Water Utility Bonds shall mature in the principal amounts on July 15 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2020	\$135,000	2030	\$185,000
2021	140,000	2031	190,000
2022	150,000	2032	195,000
2023	160,000	2033	200,000
2024	245,000	2034	205,000
2025	240,000	2035	210,000
2026	165,000	2036	220,000
2027	170,000	2037	240,000
2028	175,000	2038	245,000
2029	180,000	2039	250,000

The Water Utility Bonds are subject to redemption prior to their stated maturities in accordance with the terms provided in the Notice of Sale authorized herein and attached hereto as Exhibit D. The Water Utility Bonds shall be twenty (20) in number, with one bond certificate being issued for each year of maturity, and shall be designated and numbered WU-1 to WU-20, inclusive.

Section 16. The General Improvement Bonds, the Sewer Utility Bonds and the Water Utility Bonds are collectively referred to hereinafter as the "Bonds".

Section 17. The Bonds will be issued in fully registered book-entry only form, without coupons. One certificate shall be issued for the aggregate principal amount of the Bonds of each series maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as Securities Depository (the "Securities Depository")

for the Bonds. The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book entry system for recording the interests of its Participants ("Participants") or the transfers of the interests among its Participants. The Participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 each or any integral multiple thereof, with a minimum purchase of \$5,000 required, except that any Bonds in excess of the largest principal amount equaling a multiple of \$5,000 shall be in denominations of \$1,000 or any integral multiple thereof, through book entries made on the books and records of DTC and its Participants. The Bonds will be dated their date of delivery and shall bear interest from such date, which interest shall be payable semi-annually on the fifteenth day of January and July in each year, commencing January 15, 2020, until maturity or prior redemption, at a rate or rates per annum as proposed by the successful bidder in accordance with the Notice of Sale authorized herein. The principal of and the interest on the Bonds will be paid to the Securities Depository by the City, or some other paying agent as the City may designate and appoint, on the maturity dates and due dates listed therein and will be credited on the maturity dates and due dates for the Bonds to the Participants of DTC as listed on the records of DTC as of each January 1 and July 1 (the "Record Dates") preceding an Interest Payment Date. The Bonds shall be executed by the manual or facsimile signatures of the Mayor and Chief Financial Officer of the City under the official seal of the City (or facsimile thereof) affixed, printed, engraved or reproduced thereon, and attested to by the manual signature of the Clerk of the City. The following matters are hereby determined with respect to the Bonds:

Date of Bonds:	Date of Delivery;
Principal Payment Date:	July 15, 2020 and each July 15 thereafter until maturity or prior redemption;
Interest Payment Dates:	Semi-annually on each January 15 and July 15, commencing January 15, 2020, until maturity or prior redemption;
Place of Payment:	Cede & Co., New York, New York.

Section 18. The Bonds shall be substantially in the forms set forth in Exhibit A, Exhibit B and Exhibit C, respectively, attached hereto with such additions, deletions and omissions as may be necessary for the City to market and sell the Bonds, upon advice of the Bond Counsel (as hereinafter defined) to the City.

Section 19. The Bonds shall be sold upon receipt of electronic bids on or about July 17, 2019 at 11:00 a.m., or such other date as may be agreed upon by the Chief Financial Officer of the City, on i-Deal's Bidcomp®/PARITY® electronic competitive bidding system ("PARITY"), in accordance with the Notice of Sale authorized herein in Exhibit D. The use of the services provided by PARITY and the fees associated therewith are hereby approved. Bond Counsel to the City, on behalf of the Clerk of the City, is hereby authorized and directed to arrange for the publication of a summary of such Notice of Sale to be

published not less than seven (7) days prior to the date of sale in The Bond Buyer, a financial newspaper published and circulating in the City of New York, New York and the full text of such Notice of Sale in the Home News Tribune, such Notice of Sale to be published not less than seven (7) days prior to the date of sale. Pursuant to N.J.S.A. 40A:2-34, the City hereby designates the Chief Financial Officer of the City as the financial officer authorized to sell and award the Bonds in accordance with the Notice of Sale authorized herein, and such financial officer shall report in writing the results of the sale to the City Council at its next regularly scheduled meeting thereafter. The Chief Financial Officer is hereby further authorized and directed to do and accomplish all matters and things necessary or desirable to effectuate the offering and sale of the Bonds.

The Notes (as defined in Section 29 hereof) shall be sold upon receipt of electronic bids on or about July 17, 2019 at 11:15 a.m., or such other date as may be agreed upon by the Chief Financial Officer of the City, on i-Deal's Bidcomp®/PARITY® electronic competitive bidding system ("PARITY"), in accordance with the Notice of Sale authorized herein. Bids for the Notes may also be submitted, in accordance with the Notice of Sale set forth in Exhibit E, via facsimile or electronic mail.

Section 20. The Notice of Sale for the Bonds shall be in the form set forth as Exhibit D attached hereto with such additions, deletions and omissions as may be necessary for the City to market the Bonds, upon advice of Bond Counsel to the City.

The Notice of Sale for the Notes shall be in the form set forth as Exhibit E attached hereto with such additions, deletions and omissions as may be necessary for the City to market the Bonds, upon advice of Bond Counsel to the City.

Section 21. The Bonds and the Notes shall, respectively, have attached a copy thereto of the written opinions with respect to such Bonds and Notes, as applicable, that is to be rendered by the law firm of Wilentz, Goldman & Spitzer, P.A., Bond Counsel to the City ("Bond Counsel"). The Clerk of the City is hereby authorized and directed to file a signed duplicate of such written opinions in the office of the Clerk of the City.

Section 22. Bond Counsel is hereby authorized and directed to arrange for the printing of the Bonds and the Notes and for the printing and electronic posting of the Preliminary Official Statement (as hereinafter defined) and the Final Official Statement (as hereinafter defined), which Preliminary Official Statement and Final Official Statement are each hereby authorized and directed to be prepared by Bond Counsel, Lerch, Vinci & Higgins, LLP, Fair Lawn, New Jersey, auditor to the City (the "Auditor"), and other City officials. Bond Counsel and the Auditor are also hereby authorized and directed to arrange for the distribution of the Preliminary Official Statement on behalf of the City to those financial institutions that customarily submit bids for such Bonds and Notes. The Mayor, Chief Financial Officer and Clerk of the City are each hereby authorized and directed to execute and deliver any certificates necessary in connection with the distribution of the Preliminary Official Statement and the Final Official Statement. Bond Counsel and the Auditor are hereby further authorized and directed to obtain ratings on the Bonds and Notes, to prequalify the Bonds for municipal bond insurance, and to prepare and submit financial and

other information on the City to rating agencies and municipal bond insurers. All actions previously taken by Bond Counsel and the Auditor related to the preparation and distribution of the Preliminary Official Statement, the Final Official Statement, and submission of information to the rating agencies are hereby approved, ratified and confirmed.

Section 23. The City hereby covenants that it will comply with any condition subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), to preserve the exemption from taxation of interest on the Bonds and the Notes, including the requirement to rebate all net investment earnings on the gross proceeds above the applicable blended arbitrage yield on the Bonds and the Notes, if necessary.

Section 24. The City is hereby authorized to make representations and warranties, to enter into agreements, and to make all arrangements with DTC, as may be necessary, to provide that the Bonds and the Notes will be eligible for deposit with DTC and to satisfy any obligation undertaken in connection therewith.

Section 25. In the event DTC may determine to discontinue providing its services with respect to the Bonds or the Notes or is removed by the City and if no successor securities depository is appointed, the Bonds or Notes which were previously issued in book-entry only form shall be converted to registered Bonds and/or Notes (collectively, the "Registered Obligations"), as applicable, in denominations of \$5,000 or any integral multiple thereof, with a minimum purchase of \$5,000 required, except that any Bonds in excess of the largest principal amount equaling a multiple of \$5,000 shall be in denominations of \$1,000 or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds and the Notes held in the beneficial owner's name, will become the registered owner of the Registered Obligations. The City shall be obligated to provide for the execution and delivery of the Registered Obligations in certified form.

Section 26. The Chief Financial Officer is hereby authorized and directed to "deem final" the Official Statement (the "Official Statement") prepared with respect to the issuance of the Bonds and the Notes, pursuant to the provisions of the Rule (as hereinafter defined) and to execute a certificate regarding same. The Chief Financial Officer, in consultation with Bond Counsel, is hereby authorized and directed to authorize and approve the use and distribution of the Official Statement in preliminary form (the "Preliminary Official Statement") in connection with the offering and sale of the Bonds and the Notes. Upon the sale of the Bonds and the Notes, the Preliminary Official Statement shall be modified, in consultation with Bond Counsel, to reflect the effect of the sale of the Bonds and the Notes and said modified Preliminary Official Statement shall constitute the final Official Statement (the "Final Official Statement"). The Chief Financial Officer is hereby authorized and directed to execute and deliver the Final Official Statement to the purchasers of the Bonds and the Notes in accordance with the provisions of the Rule, for its use in the sale, resale and distribution of the Bonds and the Notes, where and if applicable. All actions previously taken by the Chief Financial Officer related to the preparation, distribution, and approval of the Preliminary Official Statement and Final Official Statement, in connection with the offering and sale of the Bonds and Notes, are hereby approved, ratified and confirmed.

Section 27. The City hereby covenants and agrees that it will comply with, and carry out all of the provisions of, the respective Continuing Disclosure Certificates for the Bonds and the Notes (the "Certificates"), which will set forth the obligation of the City to file, as applicable, budgetary, financial and operating data on an annual basis and notices of certain enumerated events deemed material with respect to the Bonds and the Notes, in accordance with the provisions of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented. The Chief Financial Officer of the City is hereby authorized and directed to execute and deliver the respective Certificates to the purchasers of the Bonds and the Notes, which will evidence the City's undertaking with respect to the Rule. Notwithstanding the foregoing, failure of the City to comply with the Certificates shall not be considered a default on the Bonds or the Notes; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance, to cause the City to comply with its Obligations hereunder and thereunder.

Section 28. The Chief Financial Officer of the City is hereby authorized and directed to sell the aforesaid Bonds and Notes and to determine all matters in connection with the Bonds and the Notes (or any other matters set forth in this resolution that are deemed necessary and advisable to change by the Chief Financial Officer, prior to the sale or closing of the Bonds and the Notes, all in consultation with Bond Counsel), and the manual or facsimile signature of the Chief Financial Officer of the City upon any documents shall be conclusive as to all such determinations. The Mayor, the Chief Financial Officer, the Clerk of the City and any other City Official or professional, including, but not limited to, Bond Counsel, the Auditor, the Interim Business Administrator, the City Engineer, and the City Attorney (collectively, the "City Officials"), are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale and closing of the Bonds and the Notes, and to take such actions or refrain from such actions as are necessary for the issuance of the Bonds and the Notes, and all such actions or inactions taken by the aforesaid City Officials heretofore are hereby ratified and confirmed.

Section 29. General Obligation Notes, Series 2019 in the par amount of \$11,004,000 consisting of \$10,254,000 aggregate principal amount of General Improvement Bond Anticipation Notes, Series 2019 (the "General Improvement Notes") and \$750,000 aggregate principal amount of Parking Utility Bond Anticipation Notes, Series 2019 (the "Parking Utility Notes" and together with the General Improvement Notes, the "Notes") are hereby authorized and shall be issued pursuant to, and within the limitations prescribed by, the Local Bond Law. The General Improvement Notes are being issued to: (i) refund, on a current basis, an \$836,155 portion (along with a \$116,077 budgeted paydown of the City) of prior bond anticipation notes of the City issued in the aggregate principal amount of \$952,232 on August 1, 2018 and maturing on August 1, 2019, (ii) temporarily finance the cost of various capital improvements in and for the City in the amount of \$9,417,845, and (ii) pay the costs associated with the issuance of the General Improvement Notes. The Parking Utility Notes are being issued to (i) temporarily finance the cost of various parking utility improvements in and for the City in the amount of \$750,000 and (ii) pay the costs associated with the issuance of the Parking Utility Notes.

Section 30. The bond ordinances authorizing the General Improvement Notes and the improvements or purposes for which the General Improvement Notes are to be issued, described by reference to the ordinance number, description and date of final adoption, and amount of General Improvement Notes to be issued for such improvements or purposes, are, respectively, as follows:

Ordinance Number	Description and Date of Final Adoption	Amount
O-30-16	Various 2016 Capital Improvements, finally adopted 12/12/16	\$ 836,155
O-22-17	Sidewalk and Roadway Improvements, finally adopted 8/14/17	190,476
O-25-17, as amended by O-6-18	Various 2017 Capital Improvements, finally adopted 9/11/17, as amended on 5/7/18	1,632,622
O-26-17	Field and Amenity Improvements to Madden Field, finally adopted 9/11/17	2,142,768
O-7-18	2018 Road Reconstruction and Resurfacing Program, finally adopted 7/9/18	1,331,190
O-13-18	Various 2018 Capital Improvements, finally adopted 7/9/18	1,635,712
O-22-18	Monroe Street Road Improvements, finally adopted 12/10/18	476,190
O-05-19	Various Road Improvements, finally adopted 3/11/19	1,662,500
O-11-19	Acquisition of Equipment for the Fire Department, finally adopted 5/13/19	261,250
O-10-19	Acquisition of Real Property Being Designated as Block 160, Lot 7 on the Official Tax Map of the City, finally adopted 5/13/19	<u>85,137</u>
TOTAL		<u>\$10,254,000</u>

The bond ordinance authorizing the Parking Utility Notes and the improvement or purpose for which the Parking Utility Notes are to be issued, described by reference to the ordinance number, description and date of final adoption, and amount of Parking Utility Notes to be issued for such improvement or purpose, is, respectively, as follows:

Ordinance Number	Description and Date of Final Adoption	Amount
O-09-19	Various Parking Utility Acquisitions and Improvements, finally adopted 5/13/19	<u>\$750,000</u>
TOTAL		<u>\$750,000</u>

The following matters in connection with the Notes are hereby determined, declared and recited:

A) All Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no Notes shall mature later than one (1) year from the date of the first note issued thereunder, or more than three (3) years from the date of the first note issued pursuant to said bond ordinances referred to in this section, unless the City shall have paid and retired amounts of such Notes sufficient to allow it, in accordance with the provisions of Section 8.1 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first issuance of such Notes.

B) All Notes issued hereunder shall bear interest at such rate as shall be approved by the Chief Financial Officer of the City.

C) The Chief Financial Officer of the City, in consultation with Bond Counsel, is hereby authorized and directed to provide for the renewal of such Notes from time to time in accordance with the provisions of the Local Bond Law, said bond ordinances and this resolution, without further authorization from the City Council of the City.

D) The Notes will be issued in fully registered book-entry only form. Both principal of and interest on the Notes will be payable in lawful money of the United States of America. The Notes will be registered in the name of Cede & Co., as nominee of DTC, which will act as Securities Depository for the Notes. The Notes will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its Participants or the transfers of the interests among its Participants. The Participants will be responsible for maintaining records regarding the beneficial ownership interests in the Notes on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 each or any integral multiple thereof, with a minimum purchase of \$5,000 required, except that any Notes in excess of the largest principal amount equaling a multiple of \$5,000 shall be in denominations of \$1,000 or any integral multiple thereof, through book entries made on the books and records of DTC and its Participants. The principal of and interest on the Notes will be paid to the Securities Depository by the City or a duly designated paying agent on the maturity date of the Notes.

E) Any such Notes shall be executed in the name of the City by the manual or facsimile signatures of the Mayor and Chief Financial Officer of the City, the seal of the City (or a facsimile thereof) shall be affixed, imprinted or reproduced thereon, and the signatures of such officials on the Notes shall be attested by the manual signature of the Clerk of the City, as set forth in Section 25 of the Local Bond Law.

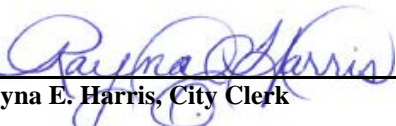
F) The Chief Financial Officer of the City is hereby authorized and directed to sell said Notes, pursuant to the terms of the Notice of Sale to be distributed in connection therewith, at public sale on or about July 17, 2019 or at some other mutually convenient date and time at not less than par and to deliver the same to the purchaser thereof upon receipt of payment of the purchase price plus accrued interest thereon, if any, from their dated date to the date of the delivery thereof and payment therefor. The sale of such Notes may be conducted by receipt of electronic proposals via PARITY, facsimile or electronic mail, as described above in Section 19 hereof. The use of the services provided by PARITY and the fees associated therewith are also hereby approved with respect to the Notes. The Mayor and Chief Financial Officer of the City are further authorized and directed to do and accomplish all matters and things necessary or desirable to effectuate the offering and sale of the Notes in accordance herewith.

G) Any Notes issued pursuant to this resolution and said bond ordinances shall be general obligations of the City, and the City's full faith and credit are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Notes, and, unless paid from other sources, the City is required by law to provide for the payment thereof by the levy of *ad valorem* taxes on all the taxable property located within the City without limitation as to rate or amount.

H) The Chief Financial Officer of the City is hereby authorized and directed to report in writing to the City Council at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution are made, such report shall include the description, principal amount, interest rate and maturity of the Notes sold, the prices obtained and the name of the purchaser.

Section 31. This resolution shall take effect immediately.

**Certified to be a true copy of a Resolution
adopted by the Municipal Council of the City
of Rahway at the duly held Meeting on the
16th day of July 2019.**



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-166-19

Date of Adoption: July 16, 2019

RESOLUTION AUTHORIZING THE PURCHASE OF THREE 2020 CHEVROLET POLICE VEHICLES UNDER NEW JERSEY STATE CONTRACT FOR THE RAHWAY POLICE DEPARTMENT

WHEREAS, the Rahway Police Department is in need of three new police vehicles; and


WHEREAS, it has been determined that the purchase of said vehicles under New Jersey State Contract is the most practical way to proceed at this time.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, that the purchase of the following police vehicles from Gentilini Chevrolet LLC, 500 John S Penn Blvd, Woodbine NJ 08270 is hereby authorized for an amount not to exceed \$109,222.62.

Description	Contract #	Quantity	Equipment Cost
2020 Chevrolet Police Vehicle	89938 T2776	3	\$109,222.62

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated sufficient funds within the Current Fund – Account 01-201-25-240-025, to cover the cost of this contract. This certification is required on all contracts as per regulations of the Director of Local Government Services.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.



Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-167-19

Date of Adoption: July 16, 2019

RESOLUTION OF THE CITY OF RAHWAY AUTHORIZING THE AWARD OF A CONTRACT TO USGOVBID/AUCTION LIQUIDATION SERVICES AND THE SALE ON AN ONLINE AUCTION WEBSITE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE

WHEREAS, the Local Unit Electronic Technology Pilot Program and Study Act has been enacted by the New Jersey Legislature to permit local units to purchase bulk commodities and services and sell surplus property through means of the internet and related technologies; and

WHEREAS, the City of Rahway (the “City”) has surplus equipment and vehicles that are no longer used and useful in providing municipal services to the citizens of the City and wishes to dispose of these goods through an efficient and effective process; and

WHEREAS, the City has received a proposal from an Internet-based entity that offers auction services for the disposal of surplus goods, and the City wishes to award a contract to USGovBid/Auction Liquidation Services, PO Box 1216, Eatontown, NJ 07724 to conduct the Public Auction, which will place on its Web Site (www.usgovbid.com) for auction any surplus and unclaimed property (“Property”) in the various departments in the City; and

WHEREAS, the award of a contract to USGovBid/Auction Liquidation Services is necessary for the efficient operations of the City and the sale of Property no longer used and useful by the City for the provision of municipal services is in the best interests of its citizens; and

WHEREAS, the Local Public Contracts Law recognizes such services as “extraordinary unspecifiable services” as it is not reasonably possible to draft bid specifications for these services, and a contract may be awarded for these services without public bidding; and

WHEREAS, the City’s Chief Financial Officer has certified that the compensation arrangement in the contract with Auction Liquidation Services is in accordance with the requirement of the regulations of the State of New Jersey governing contracts for municipal services.


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

1. That Auction Liquidation Services be and is hereby awarded a contract for the sale of surplus Property in the City.
2. That the Mayor be and is hereby authorized to execute an agreement with Auction Liquidation Services in accordance with its proposal.
3. That notice of the contract award be published in accordance with the provisions of N.J.S.A. 40A:11-1 et seq.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that the compensation arrangement in the contract with USGovBid/Auction Liquidation Services is in accordance with the requirement of the regulations of the State of New Jersey governing contracts for municipal services.

BE IT FURTHER RESOLVED that the original proposal and contract be made available in the City Clerk's Office.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.


Rayna E. Harris, City Clerk

Consent Agenda

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-168-19

Date of Adoption: July 16, 2019

RESOLUTION AUTHORIZING PARTICIPATION OF THE CITY OF RAHWAY IN THE 2019 "GREENING UNION COUNTY" GRANT PROGRAM

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

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

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


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

WHEREAS, funds included in the CY 2019 budget are available to participate in the Greening Union County Grant Program which will allow Union County to double the number of trees planted this year in Rahway.

NOW, THEREFORE BE IT RESOLVED, that the Municipal Council of the City of Rahway, County of Union, State of New Jersey, hereby approves participation in the 2019 Greening Union County Grant Program.

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

**Certified to be a true copy of a Resolution
adopted by the Municipal Council of the City
of Rahway at the duly held Meeting on the
16th day of July 2019.**



Rayna E. Harris, City Clerk

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-169-19

Date of Adoption: July 16, 2019

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY TO APPLY FOR THE UNION COUNTY KIDS RECREATION TRUST FUND GRANT AND ENTER INTO A CONTRACT THERETO

WHEREAS, the voters of Union County overwhelmingly voted in favor of the Union County Open Space, Recreation and Historic Preservation Trust Fund in November of 2000; and


WHEREAS, the 2004 Chairman's Initiatives called for the creation of the "Kids Recreation Trust Fund" program, a program designed to fund three types of recreational opportunities (scholarships, equipment and field/recreation center improvements) for our County's children; and

WHEREAS, the Mayor and City Council of the City of Rahway wish to apply on behalf of the City of Rahway to the Union County Trust Fund through the "Kids Recreation Trust Fund" for the installation of a Splash Park at Brennan Field in an amount not to exceed \$250,000.00; and

WHEREAS, the Mayor and City Council of the City of Rahway acknowledge that the required match, or \$250,000.00, will be provided by the City of Rahway.

NOW, THEREFORE BE IT RESOLVED that the Municipal Council of the City of Rahway hereby authorizes the submission of the application for the "Kids Recreation Trust Fund" grant and grants permission to enter into a contract with the County of Union regarding any funding award.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.


Rayna E. Harris, City Clerk

Motion: Gibilisco

Second: Miles

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-170-19

Date of Adoption: July 16, 2019

RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF 365-1 THROUGH 365-3 (SIDEWALK ENCUMBRANCES) AND 365-50 THROUGH 365-51 (CLOSING OF STREETS) OF THE CODE OF THE CITY OF RAHWAY (2019 CULTURE CRAWL - SEMINARY AVENUE)


WHEREAS, on Saturday, September 21, 2019 the Rahway Arts and Business Partnership will be sponsoring its annual Culture Crawl; and

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

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Rahway hereby authorizes that the provisions of Chapters 365-1 through 365-3 (Sidewalk encumbrances) are also suspended between the hours of 10 a.m. until 7:00 p.m. on September 21, 2019 on Seminary Avenue between Irving Street and Gordon Place.

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

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.


Rayna E. Harris, City Clerk

Motion: Bresenhan

Second: Miles

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-171-19

Date of Adoption: July 16, 2019

RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF A MEMBER TO THE MUNICIPAL BOARD OF ALCOHOLIC BEVERAGE CONTROL

WHEREAS, Mayor Raymond A. Giacobbe has appointed Kimberly Hall as a member of the Municipal Board of Alcoholic Beverage Control.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, that the Mayor's appointment of Kimberly Hall to the Rahway Municipal Board of Alcoholic Beverage Control, to fill an unexpired term ending on December 31, 2021, is hereby confirmed.

Certified to be a true copy of a Resolution
adopted by the Municipal Council of the City
of Rahway at the duly held Meeting on the
16th day of July 2019.



Rayna E. Harris, City Clerk

Motion: Farrar

Second: Mojica

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-172-19

Date of Adoption: July 16, 2019

RESOLUTION APPOINTING A MEMBER OF THE RAHWAY ENVIRONMENTAL COMMISSION

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey hereby makes the following appointment to the Rahway Environmental Commission:

<u>Board</u>	<u>Position</u>	<u>Name</u>	<u>Address</u>	<u>Term Expires</u>
Environmental Commission	Alternate #1	Eric Hausker	2153 Ludlow Street	12-31-2019 (unexpired)

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.



Rayna E. Harris, City Clerk

Motion: Miles

Second: Mojica

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-173-19


Date of Adoption: July 16, 2019

RESOLUTION APPOINTING AN ALTERNATE MEMBER OF THE PLANNING BOARD

NOW, THEREFORE, BE IT RESOLVED that Municipal Council acknowledges the appointment made by Mayor Raymond A. Giacobbe to the Planning Board as listed below:

<u>Board</u>	<u>Position</u>	<u>Name</u>	<u>Term Expires</u>
Planning Board	Alternate #2	Christopher Brown	12-31-2019 (unexpired)

**Certified to be a true copy of a Resolution
adopted by the Municipal Council of the City
of Rahway at the duly held Meeting on the
16th day of July 2019.**



Rayna E. Harris, City Clerk

Motion: Farrar

Second: Brown

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-175-19

Date of Adoption: July 16, 2019

**RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF 365-1 THROUGH 365-3
(SIDEWALK ENCUMBRANCES) AND 365-50 THROUGH 365-51 (CLOSING OF STREETS)
OF THE CODE OF THE CITY OF RAHWAY (BLOCK PARTIES)**

WHEREAS, a street closure applications have been submitted to the City Clerk for a block party events; and

WHEREAS, the applications have been presented to the Police Department for Findings and Determinations; and

WHEREAS, the City Clerk has reported that the proper fees have been paid; and


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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey hereby grants permission for the street closure/block party events as follows:

<u>Person In Charge</u>	<u>Date</u>	<u>Rain Date</u>	<u>Hours</u>	<u>Street</u>
Tori L. White	July 27, 2019	August 10, 2019	10am – 7pm	Lenox Place between Washington Street and E. Milton Avenue
Lisa M. da Silva	August 10, 2019	August 11, 2019	3pm – 9pm	Orchard Street between Haberle Place and Madison Avenue
Valerie Rabb	August 3, 2019	August 10, 2019	12pm – 8pm	Union Street between Winfield Street and Whittier Street
Dawn White Hannum's Harley Davidson	August 17, 2019	N/A	1pm – 8pm	Broad Street between W. Milton Avenue and Clinton Street

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

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.


Rayna E. Harris, City Clerk

Motion: Brown **Second:** Farrar

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-176-19

Date of Adoption: July 16, 2019

RESOLUTION AUTHORIZING AN EXECUTIVE CLOSED SESSION

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

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

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

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

SUBJECT MATTER

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

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

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

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.



Rayna E. Harris, City Clerk

Motion: Bresenhan

Second: Cox

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

ABSENT: Councilmembers Baker and Wenson Maier

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-177-19

Date of Adoption: July 16, 2019

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CONSTELLATION NEWENERGY, INC., FOR THE SUPPLY OF ELECTRICITY TO RESIDENTIAL PARTICIPANTS OF THE CITY OF RAHWAY'S ENERGY AGGREGATION PROGRAM

WHEREAS, the State of New Jersey has enacted a regulatory plan designed to encourage and support energy aggregation for the purchase of electric utility service (N.J.A.C. 14:4-6.1 et seq.); and

WHEREAS, by Ordinance #O-23-18 the City Council established the City of Rahway's Government Energy Aggregation Program (the "Program"), the purpose of which is to provide a savings to the City of Rahway's residential customers on their electrical bills and selected Commercial Utility Consultants, Inc. ("CUC") of Trenton, New Jersey, to serve as the City's Energy Agent; and

WHEREAS, CUC has prepared a Request for Proposals ("RFP") to solicit participation by licensed electric power suppliers in its online auction for the supply of electric power to residential customers in the City of Rahway, and provided an Agreement for Provision of Energy Supply Services ("Supplier Services Agreement") for the prevailing bidder to execute with the City of Rahway; and

WHEREAS, the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 201, c.30 ("the Act") provides an exception to public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., allowing the City of Rahway to award an electricity supply contract in furtherance of its Program through an online reverse auction; and

WHEREAS, CUC is registered with the State of New Jersey, Board of Public Utilities, to conduct business therein as an energy agent (EA-0171) and private aggregator (PA-0109), and in connection therewith, CUC has been authorized by the State of New Jersey, Department of Community Affairs, Division of Local Government Services, as an approved vendor to offer its reverse auction platform to New Jersey local contracting units for the purchase of energy generation services pursuant to the Act; and

WHEREAS, in accordance therewith, CUC conducted an online auction for the City of Rahway on July 16, 2019; and

WHEREAS, during the course of the auction, licensed energy suppliers submitted online bids; and

WHEREAS, Constellation NewEnergy, Inc., submitted a bid to supply electricity to the City of Rahway’s residents at a fixed kilowatt price of \$0.11051/kWh, for a term of 13 months commencing October 1, 2019, which represents the most advantageous proposal, price and other factors considered; and

WHEREAS, Constellation NewEnergy, Inc., is a vendor approved by the New Jersey Board of Public Utilities (“BPU”), and is authorized to submit bids for energy generation services; and

WHEREAS, there is no fee charged to the City of Rahway or its residents by CUC or Constellation NewEnergy, Inc., for the services associated with the reverse auction; and

WHEREAS, CUC is paid by the successful bidder for electricity utilized by the City of Rahway’s residents; and


WHEREAS, it is in the best interests of the residents of the City of Rahway to execute the Supplier Services Agreement with Constellation NewEnergy, Inc., for a 13-month term commencing October 1, 2019.

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

1. The bid of Constellation NewEnergy, Inc., offering the rate of \$0.11051/ kWh for a 13-month term commencing October 1, 2019 is hereby accepted and approved.
2. The Mayor and City Clerk are hereby authorized and directed to execute the Supplier Services Agreement with Constellation NewEnergy, Inc.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause notice of the auction results to be published as required by law.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Rahway at the duly held Meeting on the 16th day of July 2019.


Rayna E. Harris, City Clerk

Motion: Farrar **Second:** Mojica

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

ABSENT: Councilmembers Baker and Wenson Maier