

**MINUTES**  
**PRE-MEETING CONFERENCE**  
**MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY**  
**SEPTEMBER 3, 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)*

*\*All items with an asterisk are not conducted at the pre-meeting conference*

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

**ROLL CALL**

**PRESENT:** Councilmembers Baker, Bresenhan, Brown,  
 Gibilisco, Miles, Mojica, and Farrar

**ABSENT:** Councilmembers Cox and Wenson Maier

**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.

**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.

**REVIEW OF AGENDA ITEMS**

The members of Council discussed all the items to be placed on the Agenda and voted on at the Regular Meeting of September 9, 2019. Council President Farrar gave the mover and second for each of the resolutions listed below.

a. **Proclamations**

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

1. An Ordinance Amending Chapter 401 of the Code of the City of Rahway Vehicles and Traffic; Schedule XIV 401-73 - Parking Prohibited Certain Hours to Modify Street Sweeping Schedule

c. **Resolutions by Department**

1. **Department of Administration**

- i. Resolution for the Renaming of Park on W. Milton to Rahway Girl Scout Park

2. **Department of Community Development**

- i. A resolution authorizing the execution of a contract between the city of Rahway and C.M.E. associates for professional engineering services associated with construction of the Witherspoon Street outfall improvements
- ii. Resolution authorizing the filing of liens against certain properties to recover cleanup costs incurred by the City in accordance with the provisions of section 151-4 of the
- iii. A resolution awarding the acceptance of bid for the project entitled "Madden Field Improvement Project" for the City of Rahway to CMS Construction

- iv. Resolution qualifying firms for the service of architectural services for municipal buildings
  - v. A resolution authorizing the return of performance bond and final payment for the “2018 Rahway Sidewalk Improvement Project” to Your Way Construction
  - vi. A resolution ratifying the award of an emergency contract to B&W Construction Co. of NJ INC., for storm sewer system repairs on West Cherry Street
  - vii. Resolution to Award 2019 Roadway Resurfacing
- 3. Department of Police**
- i. A resolution authorizing refund of police escrow fees
- 4. Department of Recreation and Senior Services**
- i. Resolution allowing the city of Rahway to apply for and obtain a grant from the New Jersey Department of Community Affairs for \$20,000 to carry out a project to make the annual Playtime in the Park Summer Day Camp a fully inclusive program that provides recreational opportunities for children with disabilities
- 5. Department of Revenue and Finance**
- i. Disabled Vet Resolution
  - ii. Resolution authorizing the refund of money due to the redemption of tax sale certificate for a 2016 & 2017 tax lien
  - iii. Resolution authorizing the refund of overpayment of taxes for the CY 2019
- 6. Office of the City Clerk**
- i. 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)

**COMMUNICATIONS: MAYOR, REPORTS OF CITY OFFICERS, LIST OF PAYMENT OF BILLS**

No items were offered.

**REPORTS OF COUNCIL COMMITTEES**

No items were offered.

**ORDINANCES – FINAL ADOPTION/SECOND READING**

<b>O-18-19</b>	AN ORDINANCE AMENDING CHAPTER 337, “SEWERS AND SEWAGE DISPOSAL” ARTICLE XII, “ESTABLISHMENT; ORGANIZATION; USER FEES” SECTION 337-52 “FEES” SETTING RATES AND FEES FOR THE USE OF THE SEWER SYSTEM <b>Miles / Gibilisco</b>
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**ORDINANCE**

**CITY OF RAHWAY, NEW JERSEY**

No.     **O-18-19**    

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

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

**§ 337-52 Rates and charges.**

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

**SIGNIFICANT INDUSTRIAL USERS**

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

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

(1) Residential; annual charge:		<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
(a) Single family:	\$290	\$305	\$320	\$335	\$350	\$365	\$380	\$400	
(b) Two family:	\$455	\$478	\$500	\$526	\$552	\$580	\$610	\$640	
(c) Condominium:	\$235	\$247	\$259	\$272	\$285	\$300	\$315	\$330	
(d)	For each additional family unit above a two-family the annual charge shall be the current year amount plus \$185 for each family unit above a two-family home.								
(e)	For all properties owned by senior citizens and which qualify for a senior citizen tax deduction pursuant to the provisions of N.J.S.A. 54:4-8.40 et seq., the rates shall be \$50.								

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

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

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

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

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

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

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

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

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

<b>O-19-19</b>	BOND ORDINANCE PROVIDING FOR THE PURCHASE OF BUSES TO PROVIDE TRANSPORTATION FOR SENIOR CITIZENS, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF <b>Brown / Cox</b>
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## **ORDINANCE**

### **CITY OF RAHWAY, NEW JERSEY**

No.     **O-19-19**    

**BOND ORDINANCE PROVIDING FOR THE PURCHASE OF BUSES TO PROVIDE TRANSPORTATION FOR SENIOR CITIZENS, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF**

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

**SECTION 1.** The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the City of Rahway, in the County of Union, State of New Jersey (the "City"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$150,000, which sum includes \$7,500 as the amount of down payment for

said improvement or purpose required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes.

**SECTION 2.** For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$150,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount not exceeding \$142,500 pursuant to and within the limitations prescribed by the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the City in a principal amount not exceeding \$142,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**SECTION 3.** (a) The improvement hereby authorized and purpose for the financing of which said bonds or notes are to be issued is the purchase of buses to provide transportation for the senior citizens in the City, including, as applicable, all work, materials, equipment and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$142,500.

(c) The estimated cost of said improvement or purpose is \$150,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the amount of \$7,500, is comprised of the down payment for said improvement or purpose.

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

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

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

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

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

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

(b) The average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, within the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$142,500 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

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



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

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

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

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

<b>O-20-19</b>	BOND ORDINANCE PROVIDING FOR THE REPAIR OF SINK HOLES, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES OF THE SEWER UTILITY OF THE CITY TO FINANCE THE COSTS THEREOF <b>Wenson Maier / Farrar</b>
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**ORDINANCE**  
**CITY OF RAHWAY, NEW JERSEY**

No.     O-20-19    

**BOND ORDINANCE PROVIDING FOR THE REPAIR OF SINK HOLES, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES OF THE SEWER UTILITY OF THE CITY TO FINANCE THE COSTS THEREOF**

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

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken by the Sewer Utility (the “Sewer Utility”) of the City of Rahway, in the County of Union, State of New Jersey (the “City”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the amount of \$500,000 by the Sewer Utility of the City. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), no down payment is required as the Sewer Utility is self-liquidating.

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

amount not exceeding \$500,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

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

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

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

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year

from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average period of usefulness of said improvements and purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, within New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City, as defined in the Local Bond Law, is increased by the authorization of the obligations provided for in this bond ordinance by \$500,000 and the obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An amount not exceeding \$50,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements described in Section 3 hereof.

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

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

**SECTION 9.** The City reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds

or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

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

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

**SECTION 12.** This bond ordinance shall take effect twenty (20) days after the first publication

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

<b>O-21-19</b>	AN ORDINANCE AMENDING CHAPTER 297. PARKING: CITY OWNED PROPERTY OF THE CODE OF THE CITY OF RAHWAY (PARKING BY PERMIT ONLY) <b>Farrar / Brown</b>
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**ORDINANCE  
CITY OF RAHWAY, NEW JERSEY**

No.     **O-21-19**    

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

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

**Section 1. Shall be modified to state:**

**§ 297-10 Violation and Penalties.**

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

**Section 2.**

**§ 297-12 Schedule II: Parking by Permit Only**

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

**Section 3.** All Ordinances or parts of Ordinances inconsistent herewith are repealed.

**Section 4.** If any section, subsection, sentence, clause, phrase, or a portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**Section 5.** This Ordinance shall become effective after second reading and publication as required by law.

<b>O-22-19</b>	AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (LOADING ZONES) <b>Wenson Maier / Miles</b>
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**ORDINANCE  
CITY OF RAHWAY, NEW JERSEY**

No.     **O-22-19**

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

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

**Section 1. 401-26 – Loading Zones**

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

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

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

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

<b>O-23-19</b>	AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (PARKING PROHIBITED CERTAIN HOURS) <b>Gibilisco / Cox</b>
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**ORDINANCE  
CITY OF RAHWAY, NEW JERSEY**

No.     **O-23-19**    

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

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

**Section 1. Schedule XIV 401-73 - Parking Prohibited Certain Hours**

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



Elizabeth Ave.	Both	Irving St. to Bridge	5 a.m. – 7 a.m. Mon. – Fri.
Poplar	Both	Irving St. to Bridge	5 a.m. – 7 a.m. Mon. – Fri.
E. Cherry	Both	Irving St. to Main St.	5 a.m. – 7 a.m. Mon. – Fri.
Dock St.	Both	Monroe St. to Lewis St.	5 a.m. – 7 a.m. Mon. – Fri.
Lewis St.	Both	Irving St. to Dock St.	5 a.m. – 7 a.m. Mon. – Fri.
Augusta	Both	E. Milton Ave. to Lewis St.	5 a.m. – 7 a.m. Mon. – Fri.

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

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

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

<b>O-24-19</b>	AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (ESTABLISHMENT OF PERMIT PARKING PROGRAM) <b>Miles / Farrar</b>
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## ORDINANCE CITY OF RAHWAY, NEW JERSEY

No.     O-24-19    

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

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

**Section 1. Schedule XXCII 401-86 – Establishment of Permit Parking Program**

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

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

**Section 3.** If any section, subsection, sentence, clause, phrase, or a portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be

deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

<b>O-25-19</b>	AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (DESIGNATION OF PARKING SPACES) <b>Farrar / Brown</b>
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## ORDINANCE CITY OF RAHWAY, NEW JERSEY

No.     O-25-19    

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

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

**Section 1. Schedule XXIV 401-83 – Designation of Parking Spaces**

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

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

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

**Section 3.**

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

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

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

4	\$3.75	4	\$3.75
6	\$5.00	6	\$5.00
+6 – 13	\$8.00	+6 – 13	\$8.00
24	\$12.00	24	\$12.00
<b>AFTER 5P.M. MONDAY-FRIDAY ALL DAY SATURDAY AND SUNDAY</b>			
<b>Coins</b>		<b>Credit</b>	
1	.50 cents	N/A	N/A
2	\$1.25	2	\$1.25
4	\$3.00	4	\$3.00
6	\$4.00	6	\$4.00
8	\$5.00	8	\$5.00
12	\$7.00	12	\$7.00
24	\$12.00	24	\$12.00

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

**Section 6.** If any section, subsection, sentence, clause, phrase, or a portion of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

<b>O-26-19</b>	AN ORDINANCE AMENDING CHAPTER 401: VEHICLES AND TRAFFIC OF THE CODE OF THE CITY OF RAHWAY (DESIGNATION OF PARKING SPACES) <b>Miles / Baker</b>
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## ORDINANCE

### CITY OF RAHWAY, NEW JERSEY

No.     O-26-19    

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

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

**Section 1. Schedule XXIV 401-83** – Designation of Parking Spaces

<u>ADD</u>	<u>SIDE</u>	<u>LOCATION</u>	<u>HOURS</u>
**Central Ave.	Both	Irving St. to Campbell St.	7 a.m. – 7 p.m. Mon. – Sat. / 4 hr. Maximum
** Hamilton St.	Both	Central Ave. to Gordon Pl.	7 a.m. – 7 p.m. Mon. – Sat. / 4 hr. Maximum

\*\*= Excluding resident permits

**DELETION**

Poplar Both Irving St. to Bridge 7 a.m. – 7 p.m. Mon. – Sat. / 4 hr. Maximum

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

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

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

**MISCELLANEOUS (Unfinished Business)**

<b>AR-199-19</b>	<p>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 PARTY – STREET DEDICATION)</p> <p>Motion to adopt the above Resolution <b>AR-199-19</b> as amended was made by Councilmember Farrar, seconded by the entire Councilmember Brown and adopted by the following vote:</p> <p><b>YES:</b> Councilmembers Baker, Bresenhan, Brown, Gibilisco, Miles, Mojica, and Farrar</p> <p><b>ABSENT:</b> Councilmembers Cox and Wenson Maier</p> <p>Council President Farrar declared the motion carried.</p>
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**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 Miles and seconded by Councilmember Mojica to adopt **Resolution AR-200-19** to enter into Executive Closed Session at 7:12 p.m. The Resolution was adopted as follows.

<b>AR-200-19</b>	RESOLUTION AUTHORIZING AN EXECUTIVE CLOSED SESSION
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**RESOLUTION  
CITY OF RAHWAY, NEW JERSEY**

**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

**YES:** Councilmembers Baker, Bresenhan, Brown, Gibilisco, Miles, Mojica, and Farrar

**ABSENT:** Councilmembers Cox and Wenson Maier

Council President Farrar declared the motion carried.

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

**YES:** Councilmembers Baker, Bresenhan, Brown, Gibilisco, Miles, Mojica, and Farrar

**ABSENT:** Councilmembers Cox and Wenson Maier

Council President Farrar declared the motion carried.

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

Daniel Gagnon, 160 Lentz Court. He spoke on the condition of Orchard Creek and flooding.

Alan Dolansky, 120 Lentz Court. He spoke on the condition of Orchard Creek and flooding.

Carolyn Stockl, 446 Murray Street. She spoke on the condition of Orchard Creek and flooding.

**ADJOURNMENT**

A motion to adjourn the meeting was made by Councilmember Brown; seconded by Councilmember Bresenhan at 7:45 p.m.

**YES:** Councilmembers Baker, Bresenhan, Brown, Gibilisco, Miles, Mojica, and Farrar

**ABSENT:** Councilmembers Cox and Wenson Maier

Council President Farrar declared the motion carried.

Approved:

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Rayna E. Harris, City Clerk

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Rodney Farrar, Council President