

**MINUTES**  
**REGULAR MEETING**  
**MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY**  
**SEPTEMBER 9, 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)*

**ROLL CALL**

**OPEN PUBLIC MEETING STATEMENT:**

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

**PLEDGE OF ALLEGIANCE and INVOCATION**

**PRESENTATIONS**

- a. Hispanic Heritage Month
- b. Oath of Office: John Stephans, Jr., Battalion Fire Chief

**APPROVAL OF MINUTES**

- August 12, 2019            7 p.m.            Combined Meeting & Executive Closed Session
- August 21, 2019           7 p.m.            Special Meeting

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

**REPORTS OF COUNCIL COMMITTEES**

**HEARINGS OF CITIZENS: ITEMS ON AGENDA**

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

**CONSENT AGENDA**

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

**ORDINANCES - FIRST READING**

<b>O-27-19</b>	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 <b>Farrar / Mojica</b>  Motion to introduce the above entitled Ordinance <b>O-27-19</b> on first reading was made by Councilmember Farrar, seconded by Councilmember Mojica and adopted by the following vote:
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**ORDINANCE**  
**CITY OF RAHWAY, NEW JERSEY**

No.     **O-27-19**

**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**

Modify	Side	Location	Hours
Broad	East	W. Milton to Irving St.	5 a.m. – 7 a.m. Tuesday & Thursday
Broad	West	W. Milton to Irving St.	5 a.m. – 7 a.m. Wednesday & Friday
Augusta	East	E. Milton Ave. to Lewis St.	5 a.m. – 7 a.m. Tuesday & Thursday
Augusta	West	E. Milton Ave. to Lewis St.	5 a.m. – 7 a.m. Wednesday & Friday
Irving	East	Central Avenue to E. Milton	5 a.m. – 7 a.m. Tuesday & Thursday
Irving	West	Central Avenue to E. Milton	5 a.m. – 7 a.m. Wednesday & Friday
Lewis	North	Irving St. to Dock St.	5 a.m. – 7 a.m. Tuesday & Thursday
Lewis	South	Irving St. to Dock St.	5 a.m. – 7 a.m. Wednesday & Friday
East Cherry	North	Irving St. to Main St.	5 a.m. – 7 a.m. Tuesday & Thursday
East Cherry	South	Irving St. to Main St.	5 a.m. – 7 a.m. Wednesday & Friday
Elm	North	Main St. to Campbell St.	5 a.m. – 7 a.m. Tuesday & Thursday
Elm	South	Main St. to Campbell St.	5 a.m. – 7 a.m. Wednesday & Friday
Elizabeth	North	Irving St. to Bridge	5 a.m. – 7 a.m. Tuesday & Thursday
Elizabeth	South	Irving St. to Bridge	5 a.m. – 7 a.m. Wednesday & Friday
Coach	North	Irving St. to Main St.	5 a.m. – 7 a.m. Tuesday & Thursday
Coach	South	Irving St. to Main St.	5 a.m. – 7 a.m. Wednesday & Friday
Central	North	Irving St. to Main St.	5 a.m. – 7 a.m. Tuesday & Thursday
Central	South	Irving St. to Main St.	5 a.m. – 7 a.m. Wednesday & Friday

**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.

This Ordinance was 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 October 7, 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**

*	<b>AR-201-19</b>	RESOLUTION AUTHORIZING THE DEDICATION OF THE CITY PARK LOCATED AT THE INTERSECTION OF WEST MILTON AVENUE AND WEST EMERSON AVENUE IN HONOR OF THE RAHWAY GIRL SCOUTS AND NAMING IT THE RAHWAY GIRL SCOUT PARK <b>Farrar / Brown</b>
	<b>AR-202-19</b>	RESOLUTION AUTHORIZING APPROVAL OF SETTLEMENT BETWEEN DEPARTMENT OF ENVIRONMENTAL PROTECTION AND TESLA REDEVELOPMENT AND CITY OF RAHWAY

**Department of Community Development**

*	<b>AR-203-19</b>	RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND CME ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH CONSTRUCTION OF THE WITHERSPOON STREET OUTFALL IMPROVEMENTS <b>Brown / Baker</b>
*	<b>AR-204-19</b>	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 CODE OF THE CITY OF RAHWAY AND N.J.S.A. 40:48-2.14 (SEPTEMBER 2019) <b>Miles / Bresenhan</b>
*	<b>AR-205-19</b>	RESOLUTION AWARDED THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED “MADDEN FIELD IMPROVEMENT PROJECT” FOR THE CITY OF RAHWAY TO CMS CONSTRUCTION <b>Gibilisco / Brown</b>
	<b>AR-206-19</b>	RESOLUTION AUTHORIZING THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM
*	<b>AR-207-19</b>	RESOLUTION QUALIFYING FIRMS TO PROVIDE ARCHITECTURAL SERVICES FOR MUNICIPAL BUILDINGS <b>Bresenhan / Mojica</b>
*	<b>AR-208-19</b>	RESOLUTION AUTHORIZING THE RETURN OF PERFORMANCE BOND AND FINAL PAYMENT FOR THE “2018 RAHWAY SIDEWALK IMPROVEMENT PROJECT” TO YOUR WAY CONSTRUCTION <b>Farrar / Miles</b>
*	<b>AR-209-19</b>	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, PURSUANT TO N.J.S.A 40A11-6 <b>Gibilisco / Bresenhan</b>
*	<b>AR-210-19</b>	RESOLUTION AWARDED THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED “2019 RAHWAY RESURFACING PROJECT” FOR THE CITY OF RAHWAY TO DLS CONTRACTING, INC. <b>Miles / Baker</b>

**Department of Police**

*	<b>AR-211-19</b>	RESOLUTION AUTHORIZING REFUND OF POLICE ESCROW FEES
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	<b>Farrar / Brown</b>
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**Department of Recreation and Senior Services**

* <b>AR-212-19</b>	APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR RECREATION OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES <b>Mojica / Gibilisco</b>
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**Department of Revenue and Finance**

* <b>AR-213-19</b>	RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF DISABLED VETERAN EXEMPTION <b>Brown / Baker</b>
* <b>AR-214-19</b>	RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATE FOR A 2016 & 2017 TAX LIEN <b>Farrar / Mojica</b>
* <b>AR-215-19</b>	RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE CY 2019 <b>Miles / Bresenhan</b>

**Office of the City Clerk**

* <b>AR-216-19</b>	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 <b>Farrar / Brown</b>
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**11. 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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**ADOPTED 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: 2019 2020 2021 2022 2023 2024 2025 2026

(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: 2019 2020 2021 2022 2023 2024 2025 2026

(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	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
	per account (plus usage):	\$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	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
	per account (plus usage):	\$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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## ADOPTED 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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## **ADOPTED 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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**ADOPTED 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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**ADOPTED 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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**ADOPTED 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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## ADOPTED 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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## ADOPTED 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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## ADOPTED 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)

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

**COUNCIL COMMENT:** (Three Minutes per Member)

**ADJOURNMENT**

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-201-19

Date of Adoption: September 9, 2019

### RESOLUTION AUTHORIZING THE DEDICATION OF THE CITY PARK LOCATED AT THE INTERSECTION OF WEST MILTON AVENUE AND WEST EMERSON AVENUE IN HONOR OF THE RAHWAY GIRL SCOUTS AND NAMING IT THE RAHWAY GIRL SCOUT PARK

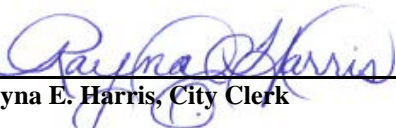
**WHEREAS,** the achievements and contributions of the Girl Scouts of America and widely recognized; and

**WHEREAS,** the Girl Scouts of America has provided countless positive opportunities to young women from ages five to eighteen; and

**WHEREAS,** the Rahway Girls Scouts have serviced the community for well over 50 years, and are acclaimed for providing a positive model and exemplary values for Rahway's young women to emulate.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, upon the recommendation of the Mayor, that the City Park located at the intersection of West Milton Avenue and West Emerson Avenue is hereby dedicated to the Rahway Girl Scouts and is to be named the Rahway Girl Scout Park.

**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 9<sup>th</sup> day of September 2019.**

  
\_\_\_\_\_  
Rayna E. Harris, City Clerk

**Motion:** Farrar

**Second:** Brown

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

**ABSENT:** Wenson Maier

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-202-19

Date of Adoption: September 9, 2019

### RESOLUTION AUTHORIZING APPROVAL OF SETTLEMENT BETWEEN DEPARTMENT OF ENVIRONMENTAL PROTECTION AND TESLA REDEVELOPMENT AND CITY OF RAHWAY


**WHEREAS**, the City of Rahway is in support of Tesla Redevelopment, LLC's application to the Department of Environmental Protection ("DEP") for a certain redevelopment plan; and

**WHEREAS**, the parties attended an alternate dispute resolution session on Tuesday October 9, 2018, conducted subsequent discussions, and completed further required submissions; and

**WHEREAS**, the City of Rahway agrees to support the essential terms of settlement required by Tesla Redevelopment, LLC as outlined in "Exhibit A."

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Rahway, in the County of Union, that the Mayor, City Clerk, and legal counsel are authorized and directed to perform all required acts to affect the purpose of this resolution.

**Certified to be a true copy of a Resolution  
adopted by the Municipal Council of the  
City of Rahway at the duly held Meeting on  
the 9<sup>th</sup> day of September 2019.**

  
\_\_\_\_\_  
Rayna E. Harris, City Clerk

**Motion:** Mojica

**Second:** Miles

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

**ABSENT:** Wenson Maier



# Exhibit A

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-203-19

Date of Adoption: September 9, 2019

### RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND CME ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH CONSTRUCTION OF THE WITHERSPOON STREET OUTFALL IMPROVEMENTS

**WHEREAS**, the City of Rahway requires the services of licensed professional engineer for the design and construction management of improvements to the Witherspoon Street outfall structure and surrounding area within the City of Rahway; and

**WHEREAS**, by Resolution No. AR-30-19 CME Associates was pre-qualified to provide general engineering services to the City; and

**WHEREAS**, CME Associates has submitted a proposal dated June 6, 2019 to perform the aforementioned services; and


**WHEREAS**, the City desires to award a contract to CME Associates to provide Engineering Services for the Witherspoon Street Outfall Improvements.

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

- 1) The Mayor and Municipal Clerk of the City of Rahway are hereby authorized to execute a professional services agreement with CME Associates in an amount not to exceed \$71,550.00.
- 2) A notice in accordance with this Resolution and the Local Public Contracts Law shall be published in the official newspaper of the City of Rahway as required by law within ten (10) days of its passage.
- 3) That an executed copy of the Contract and a copy of this Resolution shall be filed in the office of the Municipal Clerk of the City of Rahway and shall be available there for public inspection in accordance with law.
- 4) This Resolution shall take effect immediately or as otherwise provided by law.

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated funds within the Sewer Capital Fund- Ordinance # 0-19-16 Account # **11-216-55-107-104**, to cover the cost of this contract. This certification is required on all contracts as per regulations of the Director of Local Government Services.

**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 9<sup>th</sup> day of September 2019.**

  
Rayna E. Harris, City Clerk

#### Consent Agenda

**Motion:** Bresenhan

**Second:** Gibilisco

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

**ABSENT:** Wenson Maier

City of Rahway  
Department of Revenue & Finance

September 9, 2019

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

Re: **RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE  
CITY OF RAHWAY AND CME ASSOCIATES FOR PROFESSIONAL ENGINEERING  
SERVICES ASSOCIATED WITH CONSTRUCTION OF THE WITHERSPOON STREET  
OUTFALL IMPROVEMENTS**

Dear Mayor and Council Members:

Please be advised that there are legally appropriated sufficient funds within the  
Sewer Capital Fund- Ordinance # 0-19-16 Account # 11-216-55-107-104 to cover the cost of this  
contract.

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

Sincerely,



Frank C. Ruggiero  
Chief Financial Officer

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-204-19

Date of Adoption: September 9, 2019

**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 CODE OF THE CITY OF RAHWAY AND  
N.J.S.A. 40:48-2.14 (SEPTEMBER 2019)**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2.14 and Rahway Code Section 151-4, a code enforcement officer of a municipality is authorized to serve notices to abate nuisances including, but not limited to: brush, weeds, ragweed, dead and dying trees, stumps, roots, obnoxious growth, filth, garbage, trash, and debris; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2.14 and Rahway Code Section 151-4, a code enforcement officer of a municipality is further authorized to direct the removal of such nuisances from property after notice of abatement is served and the mandatory compliance period has expired; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2.14 and Rahway Code Section 151-4, a code enforcement officer of a municipality is further authorized to certify the amount of the cost to abate the nuisances from property; and

**WHEREAS**, pursuant to N.J.S.A. 40:48-2.14 and Rahway Code Section 151-4, the amount certified by the code enforcement officer shall become a lien against said properties; and

**WHEREAS**, the City has, in accordance with the procedures defined above, removed nuisances from certain premises; and


**WHEREAS**, the City Health Officer certifies that the following costs were incurred in the removal of the nuisances on the following properties:

<u>ADDRESS</u>	<u>BLOCK/LOT</u>	<u>AMOUNT</u>
1022 JEFFERSON AVE	138/1	\$340
212 JENSEN AVE	33/21	\$185
667 KELLER PL	118/7	\$160
1218 KLINE PL	190/17	\$140
426 W. MEADOW AVE	65/15	\$90
2282 PRICE ST	268/22	\$220
LOT @ SEMINARY/CHURCH	166/14	\$220

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, that it hereby authorizes the filing of liens against the above referenced property, in the amounts certified by the City Health Officer, to recover cleanup costs incurred by the City of Rahway in accordance with the provisions of N.J.S.A. 40:48-2.14 and Rahway Code Section 151-4.

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk are hereby authorized to execute any and all related documents, subject to the review of counsel, to effectuate the liens.

**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 9<sup>th</sup> day of September 2019.**

  
\_\_\_\_\_  
**Rayna E. Harris, City Clerk**

**Consent Agenda**

**Motion:** Bresenhan

**Second:** Gibilisco

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

**ABSENT:** Wenson Maier

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-205-19

Date of Adoption: September 9, 2019

### RESOLUTION AWARDING THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED “MADDEN FIELD IMPROVEMENT PROJECT” FOR THE CITY OF RAHWAY TO CMS CONSTRUCTION

**WHEREAS**, bids were received in the manner provided by law; and

**WHEREAS**, there were seven (7) bids received with the low bidder for the project being CMS Construction, Inc.; and

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, that the following bid is hereby found and determined, as per the specifications, that CMS Construction, Inc., 521 North Avenue, Plainfield, NJ, 07060, has bid the lowest price and is the lowest responsible bidder, and a contract is hereby awarded to CMS Construction consisting of the following bid breakdown:

1. Base Bid: \$1,373,302.00
2. Alternate Bid ‘A’: \$35,000.00
3. Total Base and Alternate ‘A’: \$1,408,302.00

**BE IT FURTHER RESOLVED** that the following bid be and is hereby accepted:


**BID OF:** CMS Construction, Inc.  
521 North Avenue  
Plainfield, NJ 07060

**FOR:** Madden Field Improvement Project

**AMOUNT:** \$1,408,302.00

The Chief Financial Officer of City of Rahway certifies that there are legally appropriated sufficient funds within the General Capital Fund –Ordinance O-26-17 to cover the cost of this contract.

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 9<sup>th</sup> day of September 2019.

  
Rayna E. Harris, City Clerk

#### Consent Agenda

**Motion:** Bresenhan

**Second:** Gibilisco

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

**ABSENT:** Wenson Maier

City of Rahway  
Department of Revenue & Finance

September 9, 2019

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

Re: **RESOLUTION AWARDING THE ACCEPTANCE OF BID FOR THE PROJECT  
ENTITLED "MADDEN FIELD IMPROVEMENT PROJECT" FOR THE CITY  
OF RAHWAY TO CMS CONSTRUCTION**

Dear Mayor and Council Members:

Please be advised that there are legally appropriated sufficient funds within the  
General Capital Fund, Ordinance # 0-26-17 Acct # 04-215-55-685-105 to cover the cost of  
this contract.

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

Sincerely,



Frank C. Ruggiero  
Chief Financial Officer

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-206-19

Date of Adoption: September 9, 2019

### RESOLUTION AUTHORIZING THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the City of Rahway, County of Union, State of New Jersey desires to further the public interest by obtaining a matching grant of \$1,000,000 from the State to fund the following project(s):

**#2013-17-043**

#### **Madden Field Park Improvements**

**NOW, THEREFORE**, the governing body/board resolves that Mayor Raymond A. Giacobbe or the successor to the office of the Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required,
- (c) act as the authorized correspondent of the above named applicant; and

**WHEREAS**, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF RAHWAY THAT:**

1. The Mayor of the City of Rahway of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Madden Field Park Improvements, and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$1,000,000.
3. In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.





# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-206-19

Date of Adoption: September 9, 2019

### RESOLUTION AUTHORIZING THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the City of Rahway, County of Union, State of New Jersey desires to further the public interest by obtaining a matching grant of \$1,000,000 from the State to fund the following project(s):

**#2013-17-043**

#### **Madden Field Park Improvements**

**NOW, THEREFORE**, the governing body/board resolves that Mayor Raymond A. Giacobbe or the successor to the office of the Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required,
- (c) act as the authorized correspondent of the above named applicant; and

**WHEREAS**, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF RAHWAY THAT:**

1. The Mayor of the City of Rahway of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Madden Field Park Improvements, and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$1,000,000.
3. In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

**CERTIFICATION**

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the loan and/or 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

**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 9<sup>th</sup> day of September 2019.**

  
Rayna E. Harris, City Clerk

**Motion:** Bresenhan

**Second:** Farrar

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

**ABSENT:** Wenson Maier

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-206-19

Date of Adoption: September 9, 2019

### RESOLUTION AUTHORIZING THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the City of Rahway, County of Union, State of New Jersey desires to further the public interest by obtaining a matching grant of \$1,000,000 from the State to fund the following project(s):

**#2013-17-043**

#### **Madden Field Park Improvements**

**NOW, THEREFORE**, the governing body/board resolves that Mayor Raymond A. Giacobbe or the successor to the office of the Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required,
- (c) act as the authorized correspondent of the above named applicant; and

**WHEREAS**, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF RAHWAY THAT:**

1. The Mayor of the City of Rahway of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Madden Field Park Improvements, and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$1,000,000.
3. In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

**CERTIFICATION**

I, Rayna Harris, City Clerk do hereby certify that the foregoing is a true copy of a resolution adopted by Municipal Council of the City of Rahway at a meeting held on the 9<sup>th</sup> day of September 2019.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 9<sup>th</sup> day of September 2019.

  
\_\_\_\_\_  
Rayna Harris, City Clerk

**Motion:** Bresenhan

**Second:** Farrar

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

**ABSENT:** Wenson Maier

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-207-19

Date of Adoption: September 9, 2019

### RESOLUTION QUALIFYING FIRMS TO PROVIDE ARCHITECTURAL SERVICES FOR MUNICIPAL BUILDINGS

**WHEREAS,** the City of Rahway is in need of architectural services in a timely and expeditious manner; and

**WHEREAS,** in order to develop a pre-qualified list of architects, the City of Rahway prepared and posted on its website a Request for Qualifications (“RFQ”) for firms to apply to be placed on the list of prequalified architectural firms, in accordance with the ‘fair and open’ process and procedures established under the regulation and amendments to the N.J.S.A. 19:44A-20.4 et. seq.; and

**WHEREAS,** the City of Rahway received responses to the RFQ from the following firms which were all deemed as qualified:


Arcari & Iovino Architects P.C.  
H2M Architects & Engineers  
Netta Architects

RSC Architects  
Settembrino Architects  
USA Architects

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Rahway that the above-delineated firms are hereby placed on a list of pre-qualified architectural firms to provide services related to municipal buildings in the City of Rahway on a task by task basis, as needed.

**BE IT FURTHER RESOLVED** that the Mayor, or Business Administrator as the Mayor’s designee, and the City Clerk, are hereby authorized to execute a professional services agreement with any or all of the aforesaid firms in an estimated amount of \$150,000.00.

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 9<sup>th</sup> day of September 2019.

  
Rayna E. Harris, City Clerk

#### Consent Agenda

Motion: Bresenhan

Second: Gibilisco

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

ABSENT: Wenson Maier

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-208-19

Date of Adoption: September 9, 2019

### RESOLUTION AUTHORIZING THE RETURN OF PERFORMANCE BOND AND FINAL PAYMENT FOR THE "2018 RAHWAY SIDEWALK IMPROVEMENT PROJECT" TO YOUR WAY CONSTRUCTION

**WHEREAS**, on file in the City Clerk's office is a Maser Consulting Engineering letter dated August 2, 2019 with regard to the release of Your Way Construction Inc. Performance Bond and Final Payment; and

**WHEREAS**, the Maintenance Bond has been reviewed and approved by the City Attorney's Office and Maser Consulting recommends the release of Your Way Construction's Performance Bond and final payment in the amount of \$2,120.91.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Rahway that the Treasurer is authorized and directed to return the Performance Bond and final payment in the amount of \$2,120.91 posted for the 2018 Rahway Sidewalk Improvement Project by Your Way Construction, Inc.; and

**BE IT FURTHER RESOLVED** that the Performance Bond and final payment in the amount of \$2,120.91 be returned to Your Way Construction, Inc., 404 Coit Street, Irvington, NJ 07111.

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 9<sup>th</sup> day of September 2019.

  
Rayna E. Harris, City Clerk

#### Consent Agenda

**Motion:** Bresenhan

**Second:** Gibilisco

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

**ABSENT:** Wenson Maier

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-209-19

Date of Adoption: September 9, 2019

### 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, 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 a damaged storm sewer pipe in the area of 84 West Cherry Street, a sinkhole within the roadway formed creating a very hazardous condition along and across the pavement of West Cherry Street; and

**WHEREAS**, B&W Construction Co. of NJ Inc. (the “Contractor”) submitted a bid to repair the sewer system on West Cherry Street; and

**WHEREAS**, the work included the excavation of the area of the sinkhole, repairs to the existing sewer pipe, 24 square yards of pavement restoration 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 forty two thousand one hundred eighty six dollars sixty cents (\$42,186.60) 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 9<sup>th</sup> day of September 2019.

  
\_\_\_\_\_  
Rayna E. Harris, City Clerk

#### Consent Agenda

**Motion:** Bresenhan

**Second:** Gibilisco

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

**ABSENT:** Wenson Maier



# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-210-19

Date of Adoption: September 9, 2019

### RESOLUTION AWARDING THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED "2019 RAHWAY RESURFACING PROJECT" FOR THE CITY OF RAHWAY TO DLS CONTRACTING, INC.

**WHEREAS**, bids were received in the manner provided by law; and

**WHEREAS**, there were five (5) bids received with the low bidder for the project being DLS Contracting, Inc.; and

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Rahway that the following bid is hereby found and determined, as per the specifications, that DLS Contracting Inc., 271 Route 46, Suite D-205, Fairfield, NJ 07004, has bid the lowest price and is the lowest responsible bidder, and a contract is hereby awarded to DLS Contracting, Inc. consisting of the following bid breakdown:

1. Base Bid: \$789,147.80
2. Alternate Bid 'A': \$ 24,072.60
3. Alternate Bid 'B': \$11,357.00
4. Alternate Bid 'C': \$77,966.40
5. Total Base and Alternate Bid 'A', Alternate Bid 'B' and Alternate 'C': \$ 902,550.80

**BE IT FURTHER RESOLVED** by the City Council of the City of Rahway that the following bid be and is hereby accepted:


**BID OF:** DLS Contracting, Inc.  
271 Route 46 West, Suite D-205  
Fairfield, NJ 07004

**FOR:** 2019 RAHWAY RESURFACING PROJECT

**AMOUNT:** \$ 902,550.80

The Chief Financial Officer of City of Rahway certifies that there are legally appropriated sufficient funds within the General Capital Fund –Ordinance O-05-19 to cover the cost of this contract.

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 9<sup>th</sup> day of September  
2019.

  
Rayna E. Harris, City Clerk

#### Consent Agenda

**Motion:** Bresenhan

**Second:** Gibilisco

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

**ABSENT:** Wenson Maier

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-211-19

Date of Adoption: September 9, 2019

### RESOLUTION AUTHORIZING REFUND OF POLICE ESCROW FEES

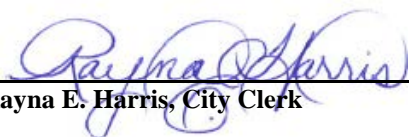
**WHEREAS**, it has been found that funds placed in escrow for police services for road work performed by a private contractor are no longer needed and should be refunded to said contractors.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the Treasurer is authorized and directed to refund the following police escrow fee to the following company:

Salomone Brothers, Inc.  
17 Demarest Drive  
Wayne, NJ 07470  
\$2,037.00

**BE IT FURTHER RESOLVED**, the a refund be sent to the above company at the address listed above.

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 9<sup>th</sup> day of September 2019.

  
\_\_\_\_\_  
Rayna E. Harris, City Clerk

#### Consent Agenda

**Motion:** Bresenhan

**Second:** Gibilisco

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

**ABSENT:** Wenson Maier

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-212-19

Date of Adoption: September 9, 2019

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH  
THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR RECREATION  
OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES**

WHEREAS, the City of Rahway desires 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.

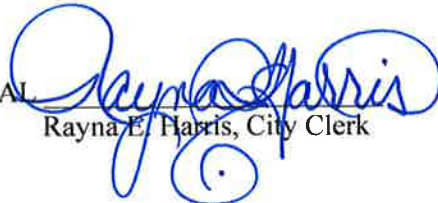
**NOW, THEREFORE, BE IT RESOLVED:**

- 1) that the MUNICIPAL COUNCIL OF THE CITY OF RAHWAY does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between THE CITY OF RAHWAY and the New Jersey Department of Community Affairs;
- 3) the MUNICIPAL COUNCIL OF THE CITY OF RAHWAY authorizes the expenditure of the required 20% match for this grant opportunity.

**BE IT FURTHER RESOLVED** that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

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

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 9<sup>th</sup> day of September 2019.



Rayna E. Harris, City Clerk

**Consent Agenda**

**Motion:** Bresenhan

**Second:** Gibilisco

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

**ABSENT:** Wenson Maier

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-212-19

Date of Adoption: September 9, 2019

### APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR RECREATION OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES

**WHEREAS**, the City of Rahway desires 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.

#### **NOW, THEREFORE, BE IT RESOLVED:**

- 1) that the MUNICIPAL COUNCIL OF THE CITY OF RAHWAY does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between THE CITY OF RAHWAY and the New Jersey Department of Community Affairs;
- 3) the MUNICIPAL COUNCIL OF THE CITY OF RAHWAY authorizes the expenditure of the required 20% match for this grant opportunity.

**BE IT FURTHER RESOLVED** that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

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

**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 9<sup>th</sup> day of September  
2019.**

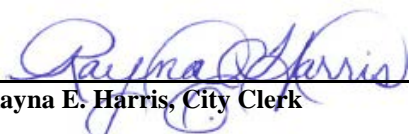
#### **Consent Agenda**

**Motion:** Bresenhan

**Second:** Gibilisco

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

**ABSENT:** Wenson Maier

  
\_\_\_\_\_  
Rayna E. Harris, City Clerk

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-213-19

Date of Adoption: September 9, 2019

### RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF DISABLED VETERAN EXEMPTION


**WHEREAS**, property known as Lot(s) 9, in City Block 255, more commonly known as 2251 Winfield Street, in Rahway, NJ is 50% co-owned by Randy C. Williams; and

**WHEREAS**, Randy C. Williams, who had qualified as a one hundred percent Disabled Veteran under the provision of the N.J.S.A 54: 4-3.30, causing his property to be exempt from taxation at the local level beginning with the 2nd Quarter Calendar Year 2019 as verified by the Tax Assessor; and

**WHEREAS**, the Tax Bills for the four quarters of Calendar Year 2019 were generated from the 2018 Assessor's Tax Lists, as required under regulations promulgated by the New Jersey Division of Local Government Services in The Department of Community Affairs pursuant to N.J.S.A. 54:4-64, thus presenting this property owner with a tax bill for the calendar year 2019, while the property is correctly classified as being Tax Exempt commencing with 2nd quarter of 2019.

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the Tax Collector be, and he hereby is, authorized and directed to cancel half of the 2019 annual taxes of \$11,875.87 as Randy C. Williams is 50% co-owner, in the amount of up to \$5,937.94 as well as the first two quarters of 2020, which have yet to be billed under a new 50% Exempt (X) line item and refund the amount paid for the four quarters of 2019 in the amount paid not to exceed \$5,937.94, which represents 50% of taxes owed on the property known and designated as Lot(s) 9, in City Block 255.

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 9<sup>th</sup> day of September 2019.

  
Rayna E. Harris, City Clerk

#### Consent Agenda

**Motion:** Bresenhan

**Second:** Gibilisco

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

**ABSENT:** Wenson Maier



# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-215-19

Date of Adoption: September 9, 2019

### RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE CY 2019

WHEREAS, it has been found that the following CY 2019 taxes have been overpaid in error;

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

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

#### 2019 CALENDAR YEAR TAXES

<u>BLOCK</u>	<u>LOT</u>	<u>OWNERS NAME</u>	<u>PROPERTY ADDRESS</u>	<u>REFUND</u>
73	01	Jennifer Flores 732 Bryant Street Rahway NJ 07065	732 Bryant Street	\$163.92
163	27	Bethel Real Estate Investment <b><u>First Team Title LLC</u></b> 214 Route 18 East Brunswick NJ 08816	1612 Gordon Place	\$237.55
258	29	Elite Serenity Investments LLC <b><u>Genuine Title Agency LLC</u></b> 28 Northside Ave South River NJ 08882	707 Audrey Drive	\$151.04
267	02	Vincent La Salle & Wendy L Whelan 2304 Allen Street Rahway NJ 07065	2304 Allen Street	\$599.83
269	14	Joseph Tyson <b><u>Timios Inc</u></b> 5716 Corsa Ave Suite 102 WestLake Village CA 91362	182 Donald Ave	\$753.37
354	11	Us Bank Trust NA TR <b><u>Town Title</u></b> East 40 Midland Ave Paramus NJ 07652	1938 Henry Street	\$197.50
99	06	George Kilada <b><u>Carnegie Title LLC</u></b> 55 Harristown Rd Ste: 302 Glen Rock NJ 07452	243-247 W. Hazelwood Ave	\$250.84
224	25	Alejandrino & Amanda Gonzalez <b><u>Wells Fargo</u></b> 1 Home Campus Des Moines IA 50328	214 Linden Ave	\$250.00
85	10	Deidre Morain 73 Maple Ave	73 Maple ave	\$1,802.84



		Rahway NJ 07065		
128	03	Rama Homes LLC <b>Premier Abstract &amp; Title Agency Inc</b> 1000 Eastpark Boulevard Cranbury NJ 08512	1084 Briarcliff Drive	\$2,359.58
193	12	Rachel Pender & Stephen Fusco 1383 Bedford Street Rahway NJ 07065	1383 Bedford Street	\$3,002.72
213	39	Bohdan Hutkovskyy 706 West Scott Ave Rahway NJ 07065	706 West Scott Ave	\$240.41
347	30	David & Hazel Harris <b>Lereta LLC-Refund Dept</b> P.O. Box 35605 Dallas TX 75235-9788	1242 Clark Street	\$250.00
382	23	Arlene & William Hansen 297 E. Scott Ave Rahway NJ 07065	297 E. Scott Ave	\$3,122.25
255	36	ABC Billing and Management LLC 60 Midwood Way Colonia NJ 07067	St Georges Ave	\$2,153.66
397	02 C0603	Walter Grodon <b>Lereta LLC -Refund Dept</b> P.O. Box 35605 Dallas TX 75235-9788	36 E Grand Ave Bldg F #32	\$250.00
376	01	Allen & Brenda Carlisle <b>Corelogic Refunds</b> P.O. Box 9202 Coppell TX 75019	1784 Bond Street	\$1,842.98
382	19	Eleanor Stec <b>Corelogic Refunds</b> P.O. Box 9202 Coppell TX 75019	1973 Bond Street	\$250.00
240	09	Charles Rolkiewicz <b>Corelogic Refunds</b> P.O. Box 9202 Coppell TX 75019	2119 Church Street	\$65.07
289	02	Tanya & Randall Oxendine-Hidalgo <b>Corelogic Refunds</b> P.O. Box 9202 Coppell TX 75019	362 E Lake Ave	\$231.51

**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 9<sup>th</sup> day of September 2019.**

  
Rayna E. Harris, City Clerk

**Consent Agenda**

**Motion:** Bresenhan

**Second:** Gibilisco

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

**ABSENT:** Wenson Maier



