

**MINUTES  
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY  
REGULAR MEETING  
May 11, 2020 ~ 7:00 P.M.  
Via Conference Call**

*“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)*

At 7:02 p.m. Mayor Raymond A. Giacobbe read a brief statement.

Council President Mojica called the meeting to order at 7:06 p.m. and read the Roll Call.

**ROLL CALL**

**Present:** Rodney Farrar, Michael Cox, David Brown, Danielle “Danni” Newbury, Joanna Miles Jeremy E. Mojica  
**Absent:** James Baker, Robert “Bob” Bresenhan Jr., Joseph D. Gibilisco

**PLEDGE OF ALLEGIANCE**

Council President Mojica led the Pledge of Allegiance.  
Councilmember David Brown offered the invocation.

**OPEN PUBLIC MEETING STATEMENT:**

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

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

**MINUTES**

Tuesday, October 1, 2019	Pre-Meeting Conference
Monday, October 7, 2019	Regular Meeting and Executive Closed Session
Tuesday, November 12, 2019	Combined Meeting and Executive Closed Session
Tuesday, December 3, 2019	Pre-Meeting Conference
Monday, December 9, 2019	Regular Meeting

Motion was made by Councilmember **Newbury** and seconded by Councilmember **Miles** to accept and approve the above listed minutes.

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

Council President Mojica declared the motion carried.

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

The Councilmembers accepted the reports and list of payment of bills.

**REPORTS OF COUNCIL COMMITTEES**

No items were offered.

**HEARINGS OF CITIZENS: ITEMS ON AGENDA**

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

With no one requesting to be recognized, Council President Mojica closed the floor to public comment.

**CONSENT AGENDA**

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

Motion was made by Councilmember **Farrar** and seconded by Councilmember **Newbury** to adopt the **Consent Agenda**. The **Consent Agenda** was adopted by the following vote:

**YES:** Councilmembers Brown, Cox, Farrar, Newbury, Miles, Mojica

**ABSENT:** Councilmembers Baker, Bresenhan, Gibilisco

Council President Mojica declared the motion carried.

**ORDINANCES - FIRST READING**

<b>O-16-20</b>	<p>BOND ORDINANCE PROVIDING FOR THE UPGRADE OF THE GRANULAR ACTIVATED CARBON FILTER SYSTEM AT THE WATER TREATMENT PLANT, BY THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$2,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OR NOTES OF THE WATER UTILITY OF THE CITY TO FINANCE THE COSTS THEREOF</p>
	<p>Motion to introduce the above entitled Ordinance <b>O-16-20</b> on first reading was made by Councilmember <b>Mojica</b>, seconded by <b>City Council</b>. The ordinance was adopted by the following vote:</p>
	<p><b>YES:</b> Councilmembers Brown, Cox, Farrar, Newbury, Miles, Mojica  <b>ABSENT:</b> Councilmembers Baker, Bresenhan, Gibilisco</p>
	<p>Council President Mojica declared the motion carried.</p>

**ORDINANCE**

**CITY OF RAHWAY, NEW JERSEY**

No.     **O-16-20**    

**BOND ORDINANCE PROVIDING FOR THE UPGRADE OF THE GRANULAR ACTIVATED CARBON FILTER SYSTEM AT THE WATER TREATMENT PLANT, BY THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "CITY"); APPROPRIATING \$2,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OR NOTES OF THE WATER UTILITY OF THE CITY TO FINANCE THE COSTS THEREOF**

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

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

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof, negotiable bonds of the City are hereby authorized to be issued in a principal amount not exceeding \$2,500,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$2,500,000 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 purchase and installation of additional equipment and components consisting of, but not limited to, booster pumps, filters and system underdrains to upgrade the granular activated carbon filter system at the Water Treatment Plant of the Water Utility in order to maintain the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency’s safe drinking water standards.

(b) The estimated maximum amount of bonds or notes of the City to be issued for said purposes is \$2,500,000.

(c) The estimated cost of said improvements or purposes is \$2,500,000.

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

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

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer

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

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

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

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

(b) The average period of usefulness of said improvements and purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is 20 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 \$2,500,000 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 \$100,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements described in Section 3 hereof.

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

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

**SECTION 9.** The City reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the

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

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

**SECTION 11.** The Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City, which are authorized herein, and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking to provide secondary market disclosure, 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.

**RESOLUTIONS**

**Department of Administration**

<b>AR-118-20</b>	RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO HEYER, GRUEL & ASSOCIATES FOR A STRATEGIC PLANNING STUDY FOR CITY OF RAHWAY
<b>AR-119-20</b>	RESOLUTION ESTABLISHING GREEN TEAM ADVISORY COMMITTEE
<b>AR-120-20</b>	RESOLUTION SUPPORTING RESPONSIBLE PET OWNERSHIP PROGRAMS IN THE COMMUNITY
<b>AR-121-20</b>	RESOLUTION AUTHORIZING THE CITY OF RAHWAY'S APPLICATION THE NEW JERSEY HISTORIC TRUST 2020 HISTORIC PRESERVATION FUND
<b>AR-122-20</b>	RESOLUTION AUTHORIZING AND DIRECTING THE RAHWAY CITY PLANNING BOARD TO INVESTIGATE CERTAIN PROPERTIES IN BLOCKS 380, 381, 391, 392, 393, 394, 395, 396, AND 397 TO DETERMINE IF THEY QUALIFY AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-6 OR AN AREA IN NEED OF REHABILITATION PURSUANT TO N.J.S.A 40A:12A-14

**Department of Community Development**

<b>AR-123-20</b>	RESOLUTION AUTHORIZING A CHANGE ORDER AND FINAL PAYMENT FOR CONSTRUCTION SERVICES RELATED TO THE RAHWAY HIGH SCHOOL OUTDOOR PHYSICAL EDUCATION SPACE PROJECT
<b>AR-124-20</b>	RESOLUTION AUTHORIZING RELEASE OF CASH PERFORMANCE BOND & ACCEPTANCE OF A MAINTENANCE BOND TO DORNOCH RAHWAY II URBAN RENEWAL LLC FOR 81 MONROE STREET, BLOCK 318, LOT 1.02

**Department of Revenue and Finance**

<b>AR-125-20</b>	RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES FOR 2019 TAX LIENS
<b>AR-126-20</b>	RESOLUTION REQUESTING PERMISSION FOR THE ESTABLISHMENT OF A DEDICATION BY RIDER FOR COVID -19 DONATION TRUST IN ACCORDANCE WITH PROVISIONS OF N.J.S.A. 40A:4-39
<b>AR-127-20</b>	CAPITAL BUDGET AMENDMENT
<b>AR-128-20</b>	RESOLUTION ADOPTING THE CITY OF RAHWAY CY 2020 SPECIAL IMPROVEMENT DISTRICT BUDGET

**ORDINANCES – FINAL ADOPTION/SECOND READING**

No items were offered.

**MISCELLANEOUS (Unfinished Business)**

No items were offered.

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

With no one requesting to be recognized, Council President Mojica closed the floor to public comment.

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

The Councilmembers and Mayor offered their remarks.

**ADJOURNMENT**

Motion to adjourn the meeting made by Councilmember **Miles**; seconded by Councilmember **Farrar**.

The meeting was adjourned at 7:17 p.m. without objection on a voice vote.



Approved:

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Rayna E. Harris, City Clerk

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Jeremy E. Mojica, Council President

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-118-20

Date of Adoption: May 11, 2020

### RESOLUTION APPROVING A PROFESSIONAL SERVICES CONTRACT TO HEYER, GRUEL & ASSOCIATES FOR A STRATEGIC PLANNING STUDY FOR CITY OF RAHWAY

**WHEREAS**, under the provisions of P.L. 2004, c.19, known as the “New Jersey Local Unit Pay-To-Play Law,” the City conducted a fair and open process to select a firm to provide planning services; and

**WHEREAS**, a Request for Qualifications under the “fair and open” process was solicited in compliance with N.J.S.A.19:44-A-20.4 et seq; and

**WHEREAS**, Heyer, Gruel & Associates responded to a request for qualifications pursuant to the fair and open process and has been deemed qualified to perform services; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that resolutions authorizing the award of contracts for a professional service be publicly advertised.

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

1. Heyer, Gruel & Associates has submitted a response to the Request for Qualifications for planning services and has been deemed qualified to provide strategic planning services to the City of Rahway.
2. Heyer, Gruel & Associates has extensive experience in strategic planning.
3. Heyer, Gruel & Associates has proposed a fee in an amount not to exceed \$27,500.00 for strategic planning study as detailed in the attached proposal.
4. A contract is hereby awarded to Heyer, Gruel & Associates without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5) and under the fair and open process of the Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20.4).

**BE IT FURTHER RESOLVED** that Mayor and City Clerk are hereby authorized to execute any and all documents related to said engagement.

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 11<sup>th</sup> day of May 2020.

  
Rayna E. Harris, City Clerk

**Motion:** Farrar                      **Second:** Newbury

**YES:** Councilmembers Brown, Cox, Farrar,  
Newbury, Miles, Mojica

**ABSENT:** Councilmembers Baker, Bresenhan and Gibilisco

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-119-20

Date of Adoption: May 11, 2020

### RESOLUTION ESTABLISHING GREEN TEAM ADVISORY COMMITTEE

**WHEREAS**, the Mayor and City Council of the City of Rahway strive to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially and a community which will thrive well into the new decade and beyond; and

**WHEREAS**, the Mayor and City Council of the City of Rahway wish to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

**WHEREAS**, in an attempt to focus attention on “Green” issues, the Mayor of the City of Rahway wishes to establish a Green Team Advisory Committee; and

**WHEREAS**, the Environmental Commission of the City of Rahway has been very active in past years and has implemented and sponsored many “green” initiatives; and

**WHEREAS**, solar power, water quality improvements, energy outreach and incentive programs, “green” building design, high efficiency municipal buildings, building a healthier community, community forestry, a greener fleet inventory, and other actions will all be considered as the City of Rahway moves to do their share to lessen the environmental impact of its operations.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that a Green Team Advisory Committee consisting of the members of the Environmental Commission of the City of Rahway is hereby established.

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 11<sup>th</sup> day of May 2020.

  
Rayna E. Harris, City Clerk

**Motion:** Farrar

**Second:** Newbury

**YES:** Councilmembers Brown, Cox, Farrar, Newbury, Miles, Mojica

**ABSENT:** Councilmembers Baker, Bresenhan and Gibilisco

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-120-20

Date of Adoption: May 11, 2020

### RESOLUTION SUPPORTING RESPONSIBLE PET OWNERSHIP PROGRAMS IN THE COMMUNITY

**RECOGNIZING** that cats and dogs are an integral and valuable part of all communities, and contribute to the well-being of humans, whether as companions, service animals, or therapy pets, and

**UNDERSTANDING** that municipalities have an important role in ensuring the well-being of animals while balancing the needs of pet owners and non-pet owners.

**WHEREAS**, legislators and municipal officials report that the number of calls from citizens about animal related issues rival any other issue(s); and

**WHEREAS**, there are approximately 2.2 million owned dogs and 2.5 million owned cats in New Jersey; and

**WHEREAS**, New Jersey was the first state in the nation to develop an innovative state-wide spay/neuter program and all proceeds from the sale of Animal Friendly License Plates are used to reimburse participating veterinarians for spaying and neutering surgeries; and

**WHEREAS**, State responsibility for promoting responsible pet care and ensuring that pets do not suffer due to abuse, neglect, or lack of proper care in kennels, pet shops, shelters, and pounds (animal facilities) is vested in the Office of Animal Welfare within the New Jersey Department of Health and Senior Services; and

**WHEREAS**, The New Jersey Society to Prevent Cruelty to Animals (NJSPCA) and municipal Animal Cruelty Investigators (ACIs) are responsible for investigating and acting as officers for the detection, apprehension, and arrest of offenders against the animal cruelty laws; and

**WHEREAS**, New Jersey mandates training requirements for animal control officers and Animal Cruelty Investigators; and

**WHEREAS**, New Jersey impounds over 100,000 animals per year in animal shelters and impoundment facilities; and

**WHEREAS**, approximately 37% of the animals that enter New Jersey's impoundment facilities are euthanized, at a rate of around 3000 every month; and

**WHEREAS**, free-roaming unvaccinated cats and dogs present a potential health threat to humans through the spread of such zoonotic diseases as rabies, leptospirosis, toxoplasmosis, roundworms, animal bites, and environmental contamination from animal feces; and

**WHEREAS**, stray and unwanted pets place an enormous financial burden on municipalities and non-profit humane agencies organized to care for these animals; and

**WHEREAS**, it is more humane and cost-effective to reduce the number of unwanted animals than it is to impound and euthanize unwanted or unclaimed dogs and cats; and

**WHEREAS**, all dogs are required to be licensed in the municipality where they are housed and the majority of municipalities also require licensure of cats; and

**WHEREAS**, all municipalities are required to canvass their residents to locate unlicensed dogs.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Rahway, County of Union, State of New Jersey to take the following steps with regard to our municipal responsibilities with the intent of making the City of Rahway a truly sustainable community. It is our intent to do our utmost, within the bounds of our jurisdiction, to ensure that companion animals are treated humanely, respectfully, and responsibly through public education and through exercise of powers vested within New Jersey municipalities as follows:

**Authority of municipalities:**

Pursuant to New Jersey Statutes, all municipalities must appoint a certified animal control officer who shall be responsible for animal control within the jurisdiction of the municipality, including providing emergency veterinary care for injured stray animals and coverage outside of normal working hours.

The NJ Vicious Dog Law establishes a state-wide standard for municipalities to effectively address situations of vicious or potentially dangerous dogs, regardless of breed.

The Animal Population Control Program provides for low-cost spaying and neutering for pet owners adopting dogs and cats from New Jersey shelters, pounds, and animal adoption referral agencies and pet owners participating in one of several Public Assistance Programs.

**The Municipality pledges to:**

Enforce all animal and rabies control statutes and regulations, including the requirement to pick up and impound all stray dogs and cats.

Work to improve the enforcement of animal cruelty statutes.

Educate our community, including school children, about their responsibilities towards the pet animals they chose to keep.

Institute, as appropriate, cat licensing ordinances and increase the percentage of licensed dogs and cats through ease of licensing and licensing enforcement measures.

Identify and work to implement best practices to prevent unwanted breeding through effective animal control, availability of low-cost pet spaying and neutering services, public education, and pet-friendly rental and senior housing.

Identify alternatives to euthanasia of adoptable companion animals, including utilizing foster homes, adoption networks and providing remedial behavior training services to existing and future owners.

Assist in identifying resources to improve the conditions and increase the capacity of animal shelters and impoundment facilities and animal control 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 11<sup>th</sup> day of May 2020.**

  
**Rayna E. Harris, City Clerk**

**Motion:** Farrar                      **Second:** Newbury

**YES:** Councilmembers Brown, Cox, Farrar,  
Newbury, Miles, Mojica

**ABSENT:** Councilmembers Baker, Bresenhan and Gibilisco

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-121-20

Date of Adoption: May 11, 2020

### RESOLUTION AUTHORIZING THE CITY OF RAHWAY'S APPLICATION THE NEW JERSEY HISTORIC TRUST 2020 HISTORIC PRESERVATION FUND

**WHEREAS**, the New Jersey Historic Trust is accepting applications to the Preserve New Jersey Historic Preservation Fund- 2020 Heritage Tourism Planning Grant program; and

**WHEREAS**, the City of Rahway seeks to complete an interpretive planning project of the City's historic sites and features in the amount of \$15,000; and

**WHEREAS**, the Preserve New Jersey Historic Preservation Fund- 2020 Heritage Tourism Planning Grant program requires a financial match of \$1 for every \$3 received; and

**WHEREAS**, the Mayor and Council of Rahway have determined that the City should apply for the aforementioned grant in the amount of \$11,250 with a grantee match in the amount \$3,750.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Rahway, County of Union, State of New Jersey hereby authorize the submission of an application to New Jersey Historic Trust Preserve New Jersey Historic Preservation Fund- 2020 Heritage Tourism Planning Grant program.

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 11<sup>th</sup> day of May 2020.

  
Rayna E. Harris, City Clerk

Motion: Farrar

Second: Newbury

Councilmembers Brown, Cox, Farrar,  
Newbury, Miles, Mojica

ABSENT: Councilmembers Baker, Bresenhan and Gibilisco

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-122-20

Date of Adoption: May 11, 2020

**RESOLUTION AUTHORIZING AND DIRECTING THE RAHWAY CITY PLANNING BOARD TO INVESTIGATE CERTAIN PROPERTIES IN BLOCKS 380, 381, 391, 392, 393, 394, 395, 396, AND 397 TO DETERMINE IF THEY QUALIFY AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-6 OR AN AREA IN NEED OF REHABILITATION PURSUANT TO N.J.S.A 40A:12A-14**

**WHEREAS**, Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq (“LRHL”) authorizes the Municipal Council of the City of Rahway (“City Council”) to direct the Planning Board of the City of Rahway (“Planning Board”) to undertake a preliminary investigation of certain properties to determine if they qualify as an area in need of redevelopment pursuant to the LHRL; and

**WHEREAS**, the Municipal Council has determined that it is in the public interest to conduct an investigation of certain properties (“Study Area”) bound roughly by East Scott Avenue, East Grand Avenue, Bond Street, US Route 1 and 9 (aka Edgar Road), the municipal boundary with the City of Linden, and the Amtrak railroad right-of-way, identified on the City Tax Map and assessment records as the following:

<b>Block</b>	<b>Lot</b>	<b>Property Location</b>
380	1	158 E. Grand Ave.
380	2	172 E. Grand Ave.
380	3	E. Grand Ave.
380	4	188 E Grand Ave.
380	12	Montgomery St.
380	13	Montgomery St.
380	14	Montgomery St.
380	15	Montgomery St.
381	16	E. Scott Ave.
381	17	Bond St.
391	1	E. Scott Ave.
392	1	E. Scott Ave.
393	1	397 Upton Place
393	8	2067 Bond St.
394	1	E. Scott Ave.
395	1.01	Bond St.
396	1	E. Scott Ave.
396	1.01	E. Scott Ave.
397	1	57 E. Scott Ave.

; and



**WHEREAS**, the Municipal Council authorizes and directs the Planning Board to undertake a preliminary investigation to determine if the Study Area meets the criteria set forth in the LRHL, specifically N.J.S.A. 40A:12A-5, and should be designated an area in need of redevelopment; and

**WHEREAS**, the redevelopment area determination requested herein authorizes the City to utilize all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain (“Non-Condensation Redevelopment Area”); and

**WHEREAS**, the Planning Board is further authorized and directed to investigate if the Study Area meets the criteria set forth in the LRHL, specifically N.J.S.A. 40A:12A-14, to be designated an area in need of rehabilitation; and

**WHEREAS**, the Municipal Council desires to appoint Heyer, Gruel, and Associates, professional planning consultants, to prepare the preliminary investigation report and present its findings to the Planning Board at a duly noticed public hearing.

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

1. The foregoing recitals are incorporated herein as if set forth in full.
2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated an area in need of redevelopment.
3. The Planning Board is further authorized to determine if any portions of the Study Area that do not meet the criteria set forth in N.J.S.A. 40A:12A-5 to be designated an area in need of redevelopment meet the criteria set forth in N.J.S.A. 40A:12A-14 to be designated an area in need of rehabilitation.
4. The Planning Board shall conduct a public hearing in accordance with the LRHL after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment.
5. After conducting its investigation and public hearing, the Planning Board shall make a recommendation to the City Council as to whether the City Council should designate all or some of the Study Area an area in need of redevelopment or area in need of rehabilitation.
6. Heyer, Gruel and Associates, professional planning consultants is authorized to prepare the preliminary investigation report and present it to the Planning Board per the proposal attached hereto as Exhibit A.
7. This Resolution shall take effect immediately.

**STATEMENT**

This Resolution directs the Planning Board to conduct a preliminary investigation to determine if nineteen (19) tax parcels in Blocks 380, 381, 391, 392, 393, 394, 395, 396, and 397 meet the statutory criteria set forth in the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1, et seq, to be designated a non-condemnation area in need of redevelopment or an area in need of rehabilitation.

**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 11<sup>th</sup> day of May 2020.**

  
**Rayna E. Harris, City Clerk**

**Motion:** Farrar                      **Second:** Newbury

**YES:**      Councilmembers Brown, Cox, Farrar,  
Newbury, Miles, Mojica

**ABSENT:** Councilmembers Baker, Bresenhan and Gibilisco

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-123-20

Date of Adoption: May 11, 2020

### RESOLUTION AUTHORIZING A CHANGE ORDER AND FINAL PAYMENT FOR CONSTRUCTION SERVICES RELATED TO THE RAHWAY HIGH SCHOOL OUTDOOR PHYSICAL EDUCATION SPACE PROJECT

**WHEREAS**, the Rahway City Council by Resolutions AR-146-19 and AR-147-19, has awarded a contract to Athletic Fields of America to construct the Rahway High School Outdoor Physical Education Space project; and

**WHEREAS**, the architect for the project Fraytak Veisz Hopkins Duthie, P.C. (FVHD) has submitted change order request no. 1 in the amount of \$15,170.00 dated March 31, 2020 for the labor and materials to install additional pipe and stone within the project area, and disposal of unsuitable materials; and

**WHEREAS**, this change order represents a 6.95% increase above the original contract amount of \$217,995.00; and

**WHEREAS**, the contractor has successfully completed the project and the retainage amount of \$4,359.90 can be paid; and

**WHEREAS**, FVHD has submitted a final payment recommendation dated April 14, 2020 totaling \$19,529.90 for change order no. 1 and retainage.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the Change Order and final payment recommended by FVHD Architects for construction work associated with the Rahway High School Outdoor project to Athletic Fields of America in the amount of \$19,529.90 is hereby accepted.

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated sufficient funds are available to make this payment. 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 11<sup>th</sup> day of May 2020.

  
Rayna E. Harris, City Clerk

**Motion:** Farrar

**Second:** Newbury

**YES:** Councilmembers Brown, Cox, Farrar,  
Newbury, Miles, Mojica

**ABSENT:** Councilmembers Baker, Bresenhan and Gibilisco

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-124-20

Date of Adoption: May 11, 2020

### RESOLUTION AUTHORIZING RELEASE OF CASH PERFORMANCE BOND & ACCEPTANCE OF A MAINTENANCE BOND TO DORNOCH RAHWAY II LP FOR 81 MONROE STREET, BLOCK 318, LOT 1.02

**WHEREAS**, Maser Consulting has conducted a review toward the request from the Applicant to release their original cash Performance Bond; and

**WHEREAS**, the Applicant is required to post a Maintenance Bond in the amount of \$52,530.14 for the work associated with the Phase I portion of the project at #81 Monroe Street, Block 318, Lot 1.02; and

**WHEREAS**, the Applicant is requesting that the Maintenance Bond amount be deducted from the original Performance Bond; and

**WHEREAS**, the Applicant is requesting the release of \$367,711.00 as listed in their April 28, 2020 letter; and

**WHEREAS**, Maser Consulting recommends release of \$367,711.00 and thereby accepting a cash Maintenance Bond in the amount of \$52,530.14; and

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

The Treasurer is authorized and directed to return the cash Performance Bond in the amount of \$367,711.00 for on-site and off-site work; and

Cash bond in the amount of \$367,711.00 be released to Dornoch Rahway II LP c/o Slokker, 1818 Library Street, Suite 500, Reston, VA 20190

The Municipal Council of the City of Rahway accepts cash Maintenance Bond in the amount of \$52,530.14.

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 11<sup>th</sup> day of May 2020.

  
Rayna E. Harris, City Clerk

**Motion:** Farrar                      **Second:** Newbury

**YES:** Councilmembers Brown, Cox, Farrar,  
Newbury, Miles, Mojica

**ABSENT:** Councilmembers Baker, Bresenhan and Gibilisco

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-125-20

Date of Adoption: May 11, 2020

### RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES FOR 2019 TAX LIENS

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

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

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

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

#### 2019 Tax Liens

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
258 74	2394 Hulick Place	US Bank As C/F ActLien Holdings US Bank Global Corp Trst 50 South 16 <sup>th</sup> Street STE 2050 Philadelphia PA 19102	\$19,542.72	\$38,100.00
<b>Certificate 2019-0030</b>				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
381 07	1913 Montgomery Street	Trystone Capital Assets LLC P.O. Box 1030 Brick NJ 08723	\$679.73	\$1,600.00
<b>Certificate 2019-0046</b>				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
18 16	305 Jefferson Ave	Greymorr LLC 5106 California Street Omaha NE 68132	\$17,868.44	\$31,000.00
<b>Certificate 2019-0002</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 11<sup>th</sup> day of May 2020.

  
Rayna E. Harris, City Clerk

Motion: Farrar                      Second: Newbury

**YES:** Councilmembers Brown, Cox, Farrar,  
Newbury, Miles, Mojica

**ABSENT:** Councilmembers Baker, Bresenhan and Gibilisco

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-126-20

Date of Adoption: May 11, 2020

### RESOLUTION REQUESTING PERMISSION FOR THE ESTABLISHMENT OF A DEDICATION BY RIDER FOR COVID -19 DONATION TRUST IN ACCORDANCE WITH PROVISIONS OF N.J.S.A. 40A:4-39

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

**WHEREAS**, the Rahway Municipal Council provides for receipt of COVID – 19 Donations by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the COVID – 19 Donations are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by stature or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the **COVID -19 Donation trust in accordance with provision of N.J.S.A. 40A:4-39**

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

Certified to be a true copy of a Resolution adopted by the  
Municipal Council of the City of Rahway at the duly held  
Meeting on the 11<sup>th</sup> day of May 2020.

  
Rayna E. Harris, City Clerk

**Motion:** Farrar

**Second:** Newbury

**YES:** Councilmembers Brown, Cox, Farrar,  
Newbury, Miles, Mojica

**ABSENT:** Councilmembers Baker, Bresenhan and Gibilisco

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-127-20

Date of Adoption: May 11, 2020

### CAPITAL BUDGET AMENDMENT

**WHEREAS**, the local budget for the Calendar Year 2020 has been adopted; and

**WHEREAS**, it is desired to amend the adopted capital budget section for CY 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the following amendment to the adopted capital budget be made:

FROM								
CAPITAL BUDGET (CURRENT YEAR ACTION )								
		2020						
		Planned funding Services for Current Year						
Project	Estimated Total Cost	Amount Reserved Prior Years	2020 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants	Debt Authorized	To be Funded in Future Years
Water System Improvements	500,000			25,000			475,000	
	-			-			-	
	-			-			-	
				-			-	
				-			-	
				-			-	
				-			-	
				-			-	
<b>Total All Projects</b>	<b>500,000</b>	<b>-</b>	<b>-</b>	<b>25,000</b>	<b>-</b>	<b>-</b>	<b>475,000</b>	<b>-</b>

FROM								
Anticipated Project Schedule and Funding Requirements								
Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Year					
			SFY 2020	SFY 2021	SFY 2022	SFY 2023	SFY 2024	SFY 2025
Water System Improvements	1,500,000		1,500,000	200,000	200,000	200,000	200,000	200,000
	0	-	-					
	0	-	-					
Total All Projects	1,500,000	-	1,500,000	200,000	200,000	200,000	200,000	200,000

FROM										
Summary of Anticipated Funding Sourced and Amounts										
Project	Estimated Total Cost	Planned funding Services for Current Year								2020
		Current Year	Future Years	Capital Improvement Fund	Capital Surplus	Grants	General	Self Liquidating	Assessment	School
Water System Improvements	500,000			25,000			-	500,000		
	0	-		-			-			
	0	-		-			-			
Total All Projects	500,000	-	-	25,000	-	-	-	500,000	-	-



TO								
CAPITAL BUDGET (CURRENT YEAR ACTION )								
		2020		Planned funding Services for Current Year				
Project	Estimated Total Cost	Amount Reserved Prior Years	2020 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants	Debt Authorized	To be Funded in Future Years
GAC Booster Pump Filtration Project Upgrade	2,500,000			-		-	2,500,000	
				-			-	
				-			-	
Total All Projects	2,500,000	-	-	-	-	-	2,500,000	-

TO								
Anticipated Project Schedule and Funding Requirements								
				Funding Amounts per Year				
Project	Estimated Total Cost	Estimated Completion Time	SFY 2020	SFY 2021	SFY 2022	SFY 2023	SFY 2024	SFY 2025
GAC Booster Pump Filtration Project Upgrade	2,500,000		2,500,000	200,000	200,000	200,000	200,000	200,000
	-		-					
	-		-					
Total All Projects	2,500,000	-	2,500,000	200,000	200,000	200,000	200,000	200,000

TO										
Summary of Anticipated Funding Sourced and Amounts										
Project	Estimated Total Cost	Planned funding Services for Current Year						2020		
		Current Year	Future Years	Capital Improvement Fund	Capital Surplus	Grants	General	Self Liquidating	Assessment	School
GAC Booster Pump Filtration Project Upgrade	2,500,000			-		-		2,500,000		
	-			-			-	-		
Total All Projects	2,500,000	-	-	-	-	-	-	2,500,000	-	-

**BE IT FURTHER RESOLVED** that three copies of this resolution be filed forthwith in the office 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 11<sup>th</sup> day of May 2020.**

  
**Rayna E. Harris, City Clerk**

**Motion:** Farrar                      **Second:** Newbury

**YES:** Councilmembers Brown, Cox, Farrar, Newbury, Miles, Mojica

**ABSENT:** Councilmembers Baker, Bresenhan and Gibilisco

# RESOLUTION

## CITY OF RAHWAY, NEW JERSEY

No. AR-128-20

Date of Adoption: May 11, 2020

### RESOLUTION ADOPTING THE CITY OF RAHWAY CY 2020 SPECIAL IMPROVEMENT DISTRICT BUDGET

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

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

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 11<sup>th</sup> day of May 2020.

  
Rayna E. Harris, City Clerk

Motion: Farrar

Second: Newbury

YES: Councilmembers Brown, Cox, Farrar,  
Newbury, Miles, Mojica

ABSENT: Councilmembers Baker, Bresenhan and Gibilisco