

MINUTES
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
COMBINED MEETING
July 20, 2020 ~ 7:00 P.M.
Via Zoom

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

Council President Mojica called the meeting to order at 7:18 p.m. and read the Roll Call.

ROLL CALL

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

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.

REVIEW OF AGENDA

The Councilmembers reviewed and discussed the items to be placed on the agenda.

PRESENTATIONS

No items were offered.

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.

MINUTES

January 7, 2020	Reorganization and Pre-Meeting Conference	March 9, 2020	Regular Meeting
January 13, 2020	Regular Meeting	April 13, 2020	Regular Meeting
February 4, 2020	Pre-Meeting Conference	April 24, 2020	Special Meeting
February 10, 2020	Regular Meeting and Executive Closed Session	May 4, 2020	Special Meeting

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

- YES:** Councilmembers Brown, Cox, Farrar, Gibilisco, Newbury, Mojica
- ABSTAIN:** Councilmember Miles
- ABSENT:** Councilmembers Baker and Bresenhan

Council President Mojica declared the motion carried.

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 a Citizen so requests. Any item not included on the **Consent Agenda** will be considered in its normal sequence on the Agenda.

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

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

Council President Mojica declared the motion carried.

ORDINANCES - FIRST READING

O-19-20	<p>AN ORDINANCE AMENDING THE CODE OF THE CITY OF RAHWAY BY ADDING CHAPTER 95 SOCIAL JUSTICE COMMISSION</p> <p>Motion to introduce the above entitled Ordinance O-19-20 on first reading was made by Councilmember Mojica, seconded by the City Council. The ordinance was adopted by the following vote:</p> <p>YES: Councilmembers Brown, Cox, Farrar, Gibilisco, Newbury, Miles, Mojica ABSENT: Councilmembers Baker and Bresenhan</p> <p>Council President Mojica declared the motion carried.</p>
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**ORDINANCE
CITY OF RAHWAY, NEW JERSEY**

No. **O-19-20**

**AN ORDINANCE AMENDING THE CODE OF THE CITY OF RAHWAY BY ADDING
CHAPTER 95 SOCIAL JUSTICE COMMISSION**

WHEREAS, the Mayor and Municipal Council of the City of Rahway wish to ensure that we as a community are inclusive, welcoming, and engaging in government and all of our organizations within Rahway; and

WHEREAS, social justice is a concept of fair and just relations between the individual and society, as measured by the distribution of wealth, opportunities for personal activity, and social privileges; and

WHEREAS, a primary focus of the social justice commission may be to make real and vibrant commitments to the social justice dialogue within the City of Rahway; and

WHEREAS, a social justice commission may make recommendations on changing policies, structures, and institutions so they work on behalf of the common good, deepening our awareness of social justice values.

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

SECTION 1. The Code of the City of Rahway is hereby amended to add a new Chapter 95, entitled Social Justice Commission.

Social Justice Commission

§ X-1. Creation

The Mayor and Council hereby create the City of Rahway Social Justice Commission.

§ X-2. Members; appointments; terms; removal; vacancies

A. The Commission shall consist of nine members appointed by the Mayor, all of whom shall be residents of the City of Rahway. The members shall serve without compensation except as hereinafter provided. The Mayor shall designate two members, representing different gender identities, to serve as Co-Chairpersons and presiding officers of the Commission. The terms of office of the first Commissioners shall be for one, two, or three years, to be designated by the Mayor in making his appointments, and their successors shall be appointed for terms of three years and until the appointment and qualification of their successors. The terms of the inaugural nine members shall commence on September 1, 2020. Three inaugural members will serve a fifteen-month (15) term expiring on December 31, 2021. Another three inaugural members will serve a twenty-seven (27) month term expiring on December 31, 2022. Lastly, the final three inaugural members will serve a thirty-nine (39) month term expiring on December 31, 2023. Thereafter, all subsequent terms will begin on January 1 following their respective appointments. The members of the commission shall be appointed for the following terms:

- (1) Three members for a one-year term until the appointment and qualification of their successor.
- (2) Three members for a two-year term until the appointment and qualification of their successor.
- (3) Three members for a three-year term until the appointment and qualification of their successor.

B. The City Council may appoint not more than two alternate members.

- (1) Alternate members are to be designated "Alternate No. 1" and "Alternate No. 2."
- (2) The terms of the alternate members shall be for two years, except that the inaugural Alternate No. 1 will serve a fifteen-month (15) term expiring on December 31, 2021 and the inaugural Alternate No. 2 will serve a twenty-seven (27) month term expiring on December 31, 2022. Thereafter, all subsequent terms will begin on January 1 following their respective appointments.
- (3) A vacancy occurring otherwise than by expiration of term shall be filled by the City Council for the unexpired term only.
- (4) An alternate member may participate in discussions of the proceedings, but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote first.

C. The Mayor or governing body may remove any member of the Commission for cause, on written charges served upon the member and after the hearing thereon at which the member shall be entitled to be heard in person or by counsel. A

vacancy on the Commission occurring otherwise than expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

§ X-3. Conflict of interest

A member shall not be permitted to act on any matter in which they have either directly or indirectly any personal or financial interest.

§ X-4. Powers of Commission

The Commission is established for the protection and promotion of social justice within the territorial limits of the City, with a focus on ensuring equal rights, equity, access, and participation for all members of the City’s population. The Commission shall have the power to conduct research in these areas and may coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print, and distribute books, maps, charts, plans, and pamphlets which in its judgment it deems necessary for its purposes.

§ X-5. Records and annual Reports

The Commission shall keep records of its meetings and activities and make an annual report to the governing body.

§ X-6. Appropriations

The Commission may appoint such clerks and other employees and incur such expenses as it may from time to time require, providing the same shall be within the limits of funds appropriated to it by the governing body or otherwise available to it.

§ X-7. Studies and recommendations

The Social Justice Commission shall have power to study and make recommendations to the Mayor and governing body concerning equal rights, equity, access, and participation for all members of the City’s population.

O-20-20	<p>AN ORDINANCE AMENDING THE CITY OF RAHWAY CODE CHAPTER §365 ARTICLE VIII CLOSING OF STREETS</p> <p>Motion to introduce the above entitled Ordinance O-20-20 on first reading was made by Councilmember Newbury, seconded by Councilmember Farrar. The ordinance was adopted by the following vote:</p> <p>YES: Councilmembers Brown, Cox, Farrar, Gibilisco, Newbury, Miles, Mojica ABSENT: Councilmembers Baker and Bresenhan</p> <p>Council President Mojica declared the motion carried.</p>
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ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. **O-20-20**

AN ORDINANCE AMENDING THE CITY OF RAHWAY CODE CHAPTER §365 ARTICLE VIII CLOSING OF STREETS

WHEREAS, the City of Rahway wishes to adopt and create the following section §365-53: Partial Street Closures

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rahway, County of Union, State of New Jersey add the language to Article X, and create Chapter §365-53 Street Closures which shall include the following:

Name of Street	Location
East Cherry Street	From Irving Street to Monroe Street
Lewis Street	From Main Street to River Place
Monroe Street	From Main Street to Dock Street

Section Three: Severability.

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section Three: Effective Date.

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

Section Four: Codification.

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

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

O-21-20	<p>AN ORDINANCE AMENDING THE CITY OF RAHWAY CODE CHAPTER 401 VEHICLES AND TRAFFIC (Dock Street)</p> <p>Motion to introduce the above entitled Ordinance O-21-20 on first reading was made by Councilmember Cox, seconded by Councilmember Farrar. The ordinance was adopted by the following vote:</p> <p>YES: Councilmembers Brown, Cox, Farrar, Gibilisco, Newbury, Miles, Mojica ABSENT: Councilmembers Baker and Bresenhan</p>
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Council President Mojica declared the motion carried.

ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-21-20

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

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

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rahway, County of Union, State of New Jersey that the current language for Article X, Chapter §401-62 Schedule III, One-Way Streets shall include the following:

Name of Street	Direction	Location
Dock Street	North	Lewis Street Circle to Monroe Street

Section Three: Severability.

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section Three: Effective Date.

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

Section Four: Codification.

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

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

O-22-20	AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING (1018 Apgar Terrace)
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	<p>Motion to introduce the above entitled Ordinance O-22-20 on first reading was made by Councilmember Gibilisco, seconded by Councilmember Brown. The ordinance was adopted by the following vote:</p> <p>YES: Councilmembers Brown, Cox, Farrar, Gibilisco, Newbury, Miles, Mojica ABSENT: Councilmembers Baker and Bresenhan</p> <p>Council President Mojica declared the motion carried.</p>
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ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. **O-22-20**

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

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

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

Add:

In front of 1018 Apgar Terrace
 South Side – From the apex of St Georges Avenue heading west 864’ and extending to a point 22’ west thereof.

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

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

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

O-23-20	<p>AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING (1714 Essex Street)</p> <p>Motion to introduce the above entitled Ordinance O-23-20 on first reading was made by Councilmember Cox, seconded by Councilmember Gibilisco. The ordinance was adopted by the following vote:</p> <p>YES: Councilmembers Brown, Cox, Farrar, Gibilisco, Newbury, Miles, Mojica ABSENT: Councilmembers Baker and Bresenhan</p> <p>Council President Mojica declared the motion carried.</p>
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ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-23-20

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

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

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

Add:

In front of 1714 Essex Street

West Side – From the apex of Bridge Street heading south 280’ and extending to a point 22’ south thereof.

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

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

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

Introduction Statement: Having been declared adopted on first reading, the City Clerk is hereby authorized and directed to advertise said notice of introduction and passage according to law. The Public Hearing, second reading, and further action will take place at a Council Meeting on August 10, 2020 at 7 p.m. or at any time and place to which the meeting for the further consideration of the ordinances shall be adjourned.

RESOLUTIONS

Department of Administration

AR-140-20	RESOLUTION AWARDDING A CONTRACT FOR TO PERFORM A FINANCIAL FEASIBILITY REGARDING THE REDEVELOPMENT OF GLENDENNING HOMES
AR-141-20	RAHWAY CITY COUNCIL RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS TO LOCAL FOOD BANK ORGANIZATIONS FOR 2020
AR-156-20	RESOLUTION SUPPORTING THE #8CANTWAIT CAMPAIGN TO BRING IMMEDIATE CHANGE TO POLICE DEPARTMENTS

Department of Community Development

AR-142-20	RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO MRC, INC. FOR SUPPLY OF WATER ODYSSEY SYSTEM FOR BRENNAN PARK SPLASH PARK IMPROVEMENTS
AR-143-20	RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND MASER CONSULTING, P.A. FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE MADDEN FIELD IMPROVEMENTS PHASE II
AR-144-20	RESOLUTION AUTHORIZING THE RELEASE OF RIGHT OF WAY CONSTRUCTION

	BOND FEE TO HIGH POINT UTILITIES FOR PERMIT #08-18-133 DATED 08/14/2018 FOR 1299 MAIN STREET, BLOCK 305, LOT 6.02
AR-145-20	RESOLUTION AUTHORIZING THE RELEASE OF RIGHT OF WAY CONSTRUCTION BOND FEE TO W&G HOME REMODELING, LLC. FOR PERMIT #12-18-234 DATED 12/13/2018 FOR 1096 NEW BRUNSWICK AVENUE, BLOCK 309, LOT 33
AR-146-20	RESOLUTION AUTHORIZING THE RELEASE OF RIGHT OF WAY CONSTRUCTION BOND FEE TO 146 REGINA AVE. LLC. FOR PERMIT #03-18-049 DATED 03/20/2018 FOR 146 REGINA AVENUE, BLOCK 287, LOT 5
AR-147-20	RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO BERTO CONSTRUCTION FOR SEWER SYSTEM IMPROVEMENTS AT SEMINARY AND ST GEORGE AVENUES, PURSUANT TO N.J.S.A 40A11-6
AR-148-20	RESOLUTION AWARDED THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED "2020 RAHWAY SIDEWALK IMPROVEMENT PROGRAM" FOR THE CITY OF RAHWAY TO DLS CONTRACTING, INC.
AR-149-20	RESOLUTION AWARDED THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED "2020 NJDOT RAHWAY ROAD RESURFACING PROJECT" FOR THE CITY OF RAHWAY TO S. BROTHERS INC.
AR-150-20	RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND T&M ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE ALLEN STREET BROOK STABILIZATION IMPROVEMENTS AT LOWER ALDEN DRIVE
AR-151-20	RESOLUTION AUTHORIZING SUEZ ENVIRONMENTAL SERVICES TO SUPPLY AND INSTALL GRANULAR ACTIVATED CARBON (GAC) FILTERS AT THE RAHWAY WATER TREATMENT PLANT

Department of Recreation and Senior Services

AR-152-20	RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY TO APPLY FOR THE OUR TOWN NATIONAL ENDOWMENT FOR THE ARTS' CREATIVE PLACEMAKING GRANTS PROGRAM AND ENTER INTO A CONTRACT THERETO
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Department of Revenue and Finance

AR-153-20	RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES FOR 2017 & 2019 TAX LIENS
AR-154-20	TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, c.72
AR-155-20	RESOLUTION TO INCREASE THE BID THRESHOLD AND AUTHORIZING A QUALIFIED PURCHASING AGENT PURSUANT TO N.J.S.A. 40A:11-3 AND N.J.A.C. 5:34-5 ET SEQ.

ORDINANCES – FINAL ADOPTION/SECOND READING

O-17-20	<p>AN ORDINANCE ADOPTING THE "ARTS DISTRICT REDEVELOPMENT PLAN" PURSUANT TO N. J. S. A. 40A:12A-7</p> <p>Gibilisco / Miles</p> <p>Council President Mojica opened the Public Hearing on this matter and asked if any citizen wished to be heard, to approach the rail, give his/her name and address and be heard.</p> <p>With no one appearing, Council President Mojica closed the Public Hearing.</p> <p>Motion to adopt the above entitled Ordinance O-17-20 on second reading was made by Councilmember Gibilisco, seconded by Councilmember Miles and by the following vote:</p>
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YES: Councilmembers Brown, Cox, Farrar, Gibilisco, Newbury, Miles, Mojica
ABSENT: Councilmembers Baker and Bresenhan
Council President Mojica declared the motion carried.

ADOPTED ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-17-20

AN ORDINANCE ADOPTING THE “ARTS DISTRICT REDEVELOPMENT PLAN” PURSUANT TO N.J.S.A. 40A:12A-7.

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

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

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

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

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

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

WHEREAS, the Planning Board reviewed the Plan at a special meeting, conducted virtually via Zoom, on June 9, 2020; and

WHEREAS, John Barree, PP, AICP, the author of the Plan, presented the Plan to the Board and addressed questions from the Board and its professionals; and

WHEREAS, the Board recommended one revision to the Plan to clarify the definition of eating and drinking establishment and restaurant, but otherwise found the Plan acceptable and concurred with the opinion of its professional planner Paul Phillips, PP, AICP, that the Plan is consistent with the City’s Master Plan; and

WHEREAS, the Board voted unanimously to forward a memorandum to the City Council recommending the described revision and confirming that the Plan is consistent with the City’s Master Plan; and

WHEREAS, the Plan was revised to include the Board’s recommendations with a final revision date of June 15, 2020; and

WHEREAS, the City Council concurs with the Board that the Plan is consistent with the City’s Master Plan, as required in N.J.S.A. 40A:12A-7.d, and wishes to adopt the Plan dated June 15, 2020, as revised.

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

1. The City Council of the City of Rahway adopts the Arts District Redevelopment Plan, dated June 15, 2020, prepared by Heyer, Gruel and Associates, attached hereto as Exhibit A.
2. The adoption of the Plan shall constitute an amendment to the City’s Zoning Map.
3. To the extent that any previous ordinance is inconsistent or contradictory hereto, said ordinance is hereby amended to the extent necessary to make it consistent herewith.
4. The provisions of this Ordinance are severable. To the extent any clause, phrase, sentence, paragraph, or provision of this Ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.
5. This Ordinance shall take effect upon final passage and publication in accordance with the law of the state of New Jersey.

STATEMENT

This Ordinance adopts the Arts District Redevelopment Plan, dated June 15, 2020, prepared by Heyer, Gruel & Associates, and amends the City of Rahway’s zoning map to reflect the boundaries of the Redevelopment Area. The Plan is consistent with the City of Rahway’s Master Plan as required by the Local Redevelopment and Housing Law.

O-18-20	<p>BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO MADDEN FIELD, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$800,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY GREEN ACRES PROGRAM IN THE AMOUNT OF \$400,000) AND AUTHORIZING THE ISSUANCE OF \$800,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF Newbury / Gibilisco</p> <p>Council President Mojica opened the Public Hearing on this matter and asked if any citizen wished to be heard, to approach the rail, give his/her name and address and be heard.</p> <p>With no one appearing, Council President Mojica closed the Public Hearing.</p> <p>Motion to adopt the above entitled Ordinance O-18-20 on second reading was made by Councilmember Newbury, seconded by Councilmember Gibilisco and by the following vote:</p> <p>YES: Councilmembers Brown, Cox, Farrar, Gibilisco, Newbury, Miles, Mojica ABSENT: Councilmembers Baker and Bresenhan</p>
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	Council President Mojica declared the motion carried.
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ADOPTED ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-18-20

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO MADDEN FIELD, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$800,000 THEREFOR (INCLUDING A GRANT RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY GREEN ACRES PROGRAM IN THE AMOUNT OF \$400,000) AND AUTHORIZING THE ISSUANCE OF \$800,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the City of Rahway, in the County of Union, State of New Jersey (the "City"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the sum of \$800,000, which sum includes a "Green Acres Grant" in the amount of \$400,000 received or expected to be received from the New Jersey Department of Environmental Protection and the Garden State Preservation Trust (the "Grant"). No down payment for said improvements or purposes is required pursuant to Section 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), as said improvements or purposes involve projects funded by State grants.

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 \$800,000 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 \$800,000 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 the purposes for which said bonds or notes are to be issued are for improvements to Madden Field, commonly known as Block 301, Lot 1 on the official tax map of the City, including, but not limited to, (i) the construction of improvements to the existing grass baseball field including, but not limited to, sod, irrigation system, and infield materials, (ii) the announcer's booth, (iii) various amenities including, but not limited to, signs, fencing, netting, goals, athlete and spectator bleachers, batting cages, and pitcher's bullpen, and (iv) lighting modifications to accommodate the aforementioned field improvements. Such improvements or purposes are to include, but are not limited to, as applicable, engineering, architectural, and legal services, paving, striping, design work, preparation of plans and specifications, permits, bid documents, contract administration, environmental reports and remediation, work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications on file in the Office of the Clerk of the City and available for public inspection.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$800,000.

(c) The estimated cost of said improvements or purposes is \$800,000.

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 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 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 a temporary capital budget, as applicable. The capital or temporary capital budget 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, 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 or purposes which the City may lawfully undertake as general

improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

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

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, 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 \$800,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$120,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the City, and, unless paid from other sources, 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 bonds or notes 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 and approval by the Mayor, as provided by the Local Bond Law.

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

MISCELLANEOUS (Unfinished Business)

No items were offered.

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

With no one 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

The meeting was adjourned at 7:43 p.m. without objection on a voice vote.

Approved:

Rayna E. Harris, City Clerk

Jeremy E. Mojica, Council President

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-141-20A

Date of Adoption: July 20, 2020

RAHWAY CITY COUNCIL RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS TO LOCAL FOOD BANK ORGANIZATIONS FOR 2020

WHEREAS, the availability of nutritious food for all Rahway residents is essential to the health and well-being of the community, and local government has a proper role to play in ensuring that all Rahway residents have access to an adequate and nutritious food supply; and

WHEREAS, food insecurity results in poorer nutritional intake, coping strategies that are adaptive in the short-term for preventing hunger but that often result in increased risk of chronic disease, stress, and poor health outcomes including diabetes, heart disease and hypertension; and

WHEREAS, food insecurity contributes to health disparities in all populations across the life course (i.e. children from before birth through adolescence, pregnant women, and adults of all ages); and

WHEREAS, adults in food insecure households have more emergency room visits and hospital admissions and higher health care expenditures than adults in food secure households; and

WHEREAS, food insecurity significantly affects the public health, economy and quality of life of Rahway's residents; and

WHEREAS, the COVID-19 pandemic is a health and human crisis threatening the food security and nutrition of millions of people around the world; and

WHEREAS, in light of the COVID-19 pandemic many Rahway residents have suffered severe economic hardship; and

WHEREAS, the City of Rahway acknowledges that hunger, food insecurity, and poor nutrition are pressing health issues that require immediate action; and

WHEREAS, the City of Rahway has determined that it is in the best interest of the City to provide emergency funding to nonprofits providing food services; and

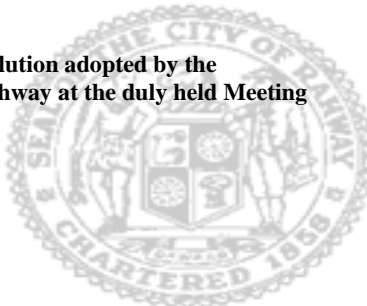
WHEREAS, the total amount to be distributed to Rahway Food for Friends and the Rahway Community Action Organization for emergency funding shall be \$20,000.00; and

WHEREAS, the City Council accepts the City of Rahway's recommendations as described herein.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union and State of New Jersey that the Chief Financial Officer, Mr. Frank Ruggerio is hereby authorized to appropriate funds in the amount of \$20,000.00 to Rahway Food For Friends and the Rahway Community Action Organization.

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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-142-20A

Date of Adoption: July 20, 2020

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO MRC, INC. FOR SUPPLY OF WATER ODYSSEY SYSTEM FOR BRENNAN PARK SPLASH PARK IMPROVEMENTS

WHEREAS, the Educational Services Commission of New Jersey (“ESCNJ”) was created in 1977 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the state of New Jersey; and

WHEREAS, by resolution AR-56-13, the City of Rahway entered into an agreement with the ESCNJ to take advantage of the cooperative pricing system; and

WHEREAS, the ESCNJ accepted a bid from MRC, Inc. for the supply of water odyssey splash park at Brennan Field for the period from May 12, 2020; and

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

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

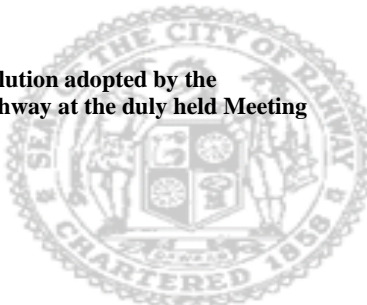
NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, Union County, New Jersey that the contract to supply the above referenced materials is awarded to MRC, Inc., P.O. Box 106, Spring Lake, NJ 07762 with a total contract not to exceed \$296,500.00. Improvements shall be performed under the direction of the City Engineer.

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

The Chief Financial Officer of the City of Rahway certifies that there are legally appropriated sufficient funds within the General Capital Fund –Ordinance O-10-20 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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-143-20A

Date of Adoption: July 20, 2020

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

WHEREAS, the City of Rahway requires the services of a licensed professional engineer to design and inspect Phase 2 improvements to Madden Field within the City of Rahway; and

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

WHEREAS, Maser Consulting, P.A. has submitted a proposal dated July 6, 2020 to perform the aforementioned services; and

WHEREAS, the City desires to award a contract to Maser Consulting, P.A. to provide engineering services associated with the Madden Field Improvements Phase 2.

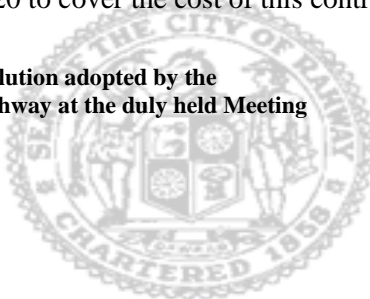
NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey:

- 1) The Mayor and Municipal Clerk of the City of Rahway are hereby authorized to execute a professional services agreement with Maser Consulting, P.A. in an amount not to exceed \$111,750.00.
- 2) A notice in accordance with this Resolution and the Local Public Contracts Law shall be published in the official newspaper of the City of Rahway as required by law within ten (10) days of its passage.
- 3) That an executed copy of the Contract and a copy of this Resolution shall be filed in the office of the Municipal Clerk of the City of Rahway and shall be available there for public inspection in accordance with law.
- 4) This Resolution shall take effect immediately or as otherwise provided by law.

The Chief Financial Officer of City of Rahway certifies that there are legally appropriated sufficient funds within the Ordinance No. O-18-20 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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-144-20

Date of Adoption: July 20, 2020

**RESOLUTION AUTHORIZING THE RELEASE OF RIGHT OF WAY CONSTRUCTION
BOND FEE TO HIGH POINT UTILITIES FOR PERMIT
#08-18-133 DATED 08/14/2018 FOR 1299 MAIN STREET, BLOCK 305, LOT 6.02**

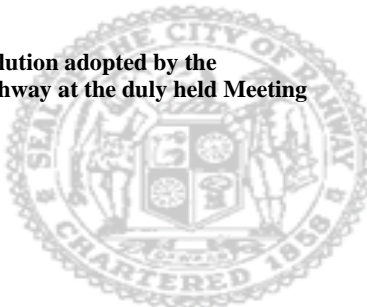
WHEREAS T&M Associates has recommended release of Right of Way Construction Bond to High Point Utilities for Permit #08-18-133 dated 08/14/2018 for a roadway opening and sidewalk replacement at 1299 Main Street, per T&M Associates' letter dated 12/27/2019.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, that the Finance Officer is Authorized and directed to refund \$2,140.00 from the Right of Way Construction account #07-206-55-700-305 for bond posted on Right of Way Construction permit #08-18-133 dated 08/14/2018 at 1299 Main Street.

BE IT FURTHER RESOLVED the refund of \$2,140.00 from the Right of Way Construction Permit Account #07-206-55-700-305 is sent to High Point Utilities, 18 Northfield Drive, Wantage, New Jersey 07065.

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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-145-20

Date of Adoption: July 20, 2020

**RESOLUTION AUTHORIZING THE RELEASE OF RIGHT OF WAY
CONSTRUCTION BOND FEE TO W&G HOME REMODELING, LLC. FOR PERMIT
#12-18-234 DATED 12/13/2018 FOR 1096 NEW BRUNSWICK AVENUE, BLOCK 309,
LOT 33**

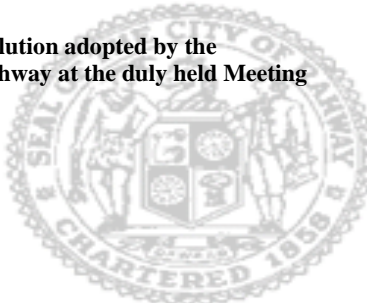
WHEREAS T&M Associates has recommended release of Right of Way Construction Bond Fee to W&G Home Remodeling, LLC. for Permit #12-18-234 dated 12/13/2018 for a driveway apron, curb, and sidewalk opening at 1096 New Brunswick Avenue, per T&M Associates' letter dated 12/27/2019.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey, that the Financial Officer is authorized and directed to refund \$6,240.00 from the Right of Way Construction account #07-206-55-700-311 for bond posted on Right of Way Construction permit #12-18-234 Dated 12/13/2018 at 1096 New Brunswick Avenue.

BE IT FURTHER RESOLVED the refund of \$6,240.00 from the Right of Way Construction Permit Account #07-206-55-700-311 is sent to W&G Home Remodeling, LLC., 110 Jabez Street, Suite 233, Newark, New Jersey 07105.

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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-146-20

Date of Adoption: July 20, 2020


**RESOLUTION AUTHORIZING THE RELEASE OF RIGHT OF WAY CONSTRUCTION
BOND FEE TO 146 REGINA AVE. LLC. FOR PERMIT
#03-18-049 DATED 03/20/2018 FOR 146 REGINA AVENUE, BLOCK 287, LOT 5**

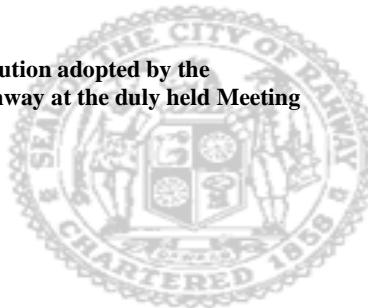
WHEREAS T&M Associates has recommended release of Right of Way Construction Bond to 146 Regina Avenue LLC. for Permit #03-18-049 dated 03/20/2018 for a roadway and sidewalk opening at 146 Regina Avenue, per T&M Associates' recommendation letter dated 12/27/2019.

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 \$2,000.00 from the Right of Way Construction account #07-206-55-700-294 for bond posted on Right of Way Construction permit #03-18-049 dated 03/20/2018 at 146 Regina Avenue.

BE IT FURTHER RESOLVED the refund of \$2,000.00 from the Right of Way Construction Permit Account #07-206-55-700-294 is sent to 146 Regina Avenue LLC, 811 New Brunswick Avenue, Rahway, New Jersey 07065.

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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-147-20

Date of Adoption: July 20, 2020

**RESOLUTION RATIFYING THE AWARD OF AN EMERGENCY CONTRACT TO BERTO
CONSTRUCTION FOR SEWER SYSTEM IMPROVEMENTS AT SEMINARY AND ST GEORGE
AVENUES, 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 sewer pipe in the area of Seminary Avenue and St. Georges Avenue, a sewer back up occurred creating a very hazardous condition; and

WHEREAS, Berto Construction (the “Contractor”) submitted a bid to repair the sewer system on Seminary Avenue and St Georges Avenue; and

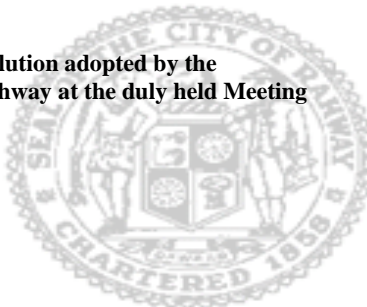
WHEREAS, the work included the excavation of the area of the deteriorated pipe, repairs to the existing sewer pipe, 8 square yards of pavement restoration and restorations to the disturbed areas.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that a contract with Berto Construction, for said work in the amount of twenty eight thousand ten Dollars (\$28,010.00) is hereby ratified and authorized pursuant to N.J.S.A. 40:11-6(b).

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated funds within the Current Fund- Account 11-216-55-110-105, 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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-148-20

Date of Adoption: July 20, 2020

**RESOLUTION AWARDING THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED
“2020 RAHWAY SIDEWALK IMPROVEMENT PROGRAM” FOR THE CITY OF RAHWAY
TO DLS CONTRACTING, INC.**

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

WHEREAS, there were two bids received with the low bidder for the project being DLS Contracting Inc.

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 DLS Contracting Inc. 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:

- Base Bid in the amount of \$117,800.00
- Alternate Bid A in the amount of \$24,500.00
- Total Base Bid Plus Alternate Bid A in the amount of \$ 142,300.00

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.
36 Montesano Road
Fairfield, NJ 07004

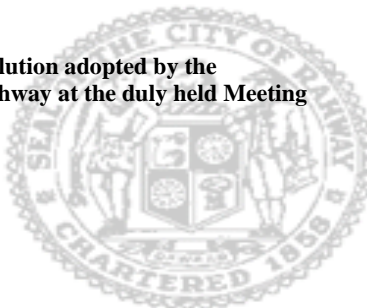
FOR: 2020 Rahway Sidewalk Improvement Program

AMOUNT: \$ 142,300.00

The Chief Financial Officer of City of Rahway certifies that there are legally appropriated sufficient funds within the General Capital Fund –Ordinance O-12-20 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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-149-20

Date of Adoption: July 20, 2020

RESOLUTION AWARDING THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED "2020 NJDOT RAHWAY ROAD RESURFACING PROJECT" FOR THE CITY OF RAHWAY TO S. BROTHERS 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 S. Brothers, Inc.

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 S. Brothers Inc., 16 Sobechko Rd, Manalapan Township, NJ 07726 has bid the lowest price and is the lowest responsible bidder, and a contract is hereby awarded to S. Brothers, Inc. consisting of the following bid breakdown:


Base Bid: \$515,331.35

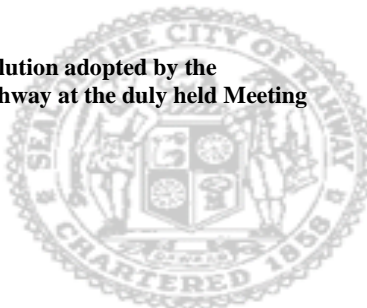
BE IT FURTHER RESOLVED by the City Council of the City of Rahway that the following bid be and is hereby accepted:

BID OF: S. Brothers, Inc.
16 Sobechko Rd, Manalapan Township, NJ 07726
FOR: 2020 NJDOT Rahway Road Resurfacing Project
AMOUNT: \$ 515,331.35

The Chief Financial Officer of City of Rahway certifies that there are legally appropriated sufficient funds within Account No. 04-215-55-699-105 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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-150-20

Date of Adoption: July 20, 2020

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF RAHWAY AND T&M ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE ALLEN STREET BROOK STABILIZATION IMPROVEMENTS AT LOWER ALDEN DRIVE

WHEREAS, the City of Rahway requires the services of a professional engineer to perform engineering design, site grading, drainage improvements, restoration, prepare permit applications to the NJDEP, prepare final construction plans and specifications and inspection services relating to improvements for the Allen Street Brook in the area of Lower Alden Drive within the City of Rahway; and

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

WHEREAS, T&M Associates has submitted a proposal dated June 10, 2020 to perform the aforementioned services; and


WHEREAS, the City desires to award a contract to T&M Associates to provide engineering services associated with the Allen Street Brook Stabilization Improvement in the area of Lower Alden Drive.

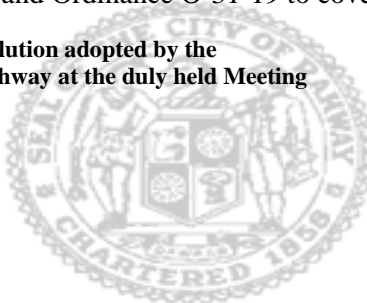
NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey:

1. The Mayor and Municipal Clerk of the City of Rahway are hereby authorized to execute a professional services agreement with T&M Associates in an amount not to exceed \$58,000.
2. A notice in accordance with this Resolution and the Local Public Contracts Law shall be published in the official newspaper of the City of Rahway as required by law within ten (10) days of its passage.
3. That an executed copy of the Contract and a copy of this Resolution shall be filed in the office of the Municipal Clerk of the City of Rahway and shall be available there for public inspection in accordance with law.
4. This Resolution shall take effect immediately or as otherwise provided by law.

The Chief Financial Officer of City of Rahway certifies that there are legally appropriated sufficient funds within the General Capital Fund and Ordinance O-31-19 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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-151-20

Date of Adoption: July 20, 2020

RESOLUTION AUTHORIZING SUEZ ENVIRONMENTAL SERVICES TO SUPPLY AND INSTALL GRANULAR ACTIVATED CARBON (GAC) FILTERS AT THE RAHWAY WATER TREATMENT PLANT

WHEREAS, Granular Activated Carbon (GAC) filters are used to remove pollutants and contaminants from drinking water; and

WHEREAS, Suez, as contracted operator of the Water Treatment Plant, is obligated to address water quality for drinking water within the City of Rahway; and


WHEREAS, Suez, has submitted a proposal in the amount of \$250,296.00 for the supply, installation and monitoring of GAC filters at the Water Treatment Plant; and

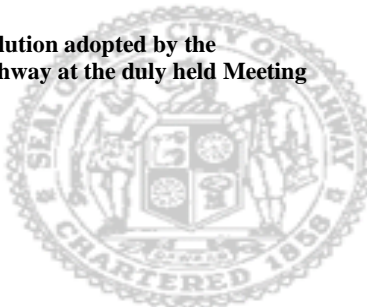
WHEREAS, the City Engineer has reviewed the conditions and proposals, recommending that this work be performed to efficiently and safely operate the water systems.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey for Suez for the supply, installation and monitoring of new GAC filters, for a total amount not to exceed two hundred fifty thousand two hundred ninety-six dollars and zero cents (\$250,296.00) is hereby authorized.

The Chief Financial Officer of the City of Rahway certifies that there are legally appropriated sufficient funds within the General Capital Fund – Ordinance O-16-20 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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-152-20

Date of Adoption: July 20, 2020

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY TO APPLY FOR THE OUR TOWN NATIONAL ENDOWMENT FOR THE ARTS' CREATIVE PLACEMAKING GRANTS PROGRAM AND ENTER INTO A CONTRACT THERETO

WHEREAS, the National Endowment for the Arts', through the Creative Placemaking Grants Our Town Program have made funds available to support projects that integrate arts, culture, and design activities into efforts that strengthen communities by advancing local economic, physical, and/or social outcomes.

WHEREAS, successful Our Town projects ultimately lay the groundwork for systemic changes that sustain the integration of arts, culture, and design into local strategies for strengthening communities.; and,

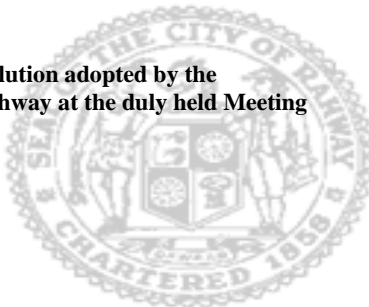
WHEREAS, the Mayor and City Council of the City of Rahway wish to apply on behalf of the City of Rahway to the OUR TOWN NATIONAL ENDOWMENT FOR THE ARTS' CREATIVE PLACEMAKING GRANTS PROGRAM" for the funding of a historical and cultural mural in an amount not to exceed \$150,000; and

WHEREAS, the Mayor and City Council of the City of Rahway acknowledge that the required equal match, will be provided by the City of Rahway.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, County of Union, State of New Jersey hereby authorize application for the "Our Town Creative Placemaking Grants Program" and permission to enter into a contract with the National Endowment for the Arts' regarding any funding award.

Certified to be a true copy of a Resolution adopted by the
Municipal Council of the City of Rahway at the duly held Meeting
on the 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-153-20

Date of Adoption: July 20, 2020

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

WHEREAS, the City of Rahway held a Tax Lien Sale on December 8, 2017 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.

2017 Tax Liens

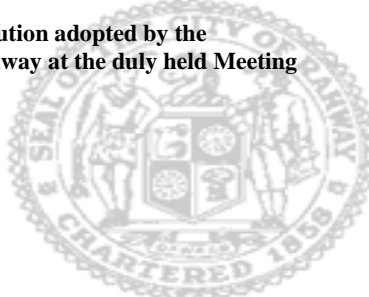
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
131 22	1175 Mayfair Drive	TFS C/F Fig Cap INV NJ13 LLC P.O. Box 54472 New Orleans LA 70154	\$55,656.66	\$38,000.00
Certificate 2017-0009				

2019 Tax Liens

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
279 11	806-12 Martin Street	FIG CUST FIGNJ19 LLC &Sec PTY P.O. Box 54226 New Orleans LA 70154	\$47,933.33	\$0.00
Certificate 2019-0034				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
353 09	1864 Barnett Street	Phoenix Funding INC 1148 Springfield Ave Mountainside NJ 07092	\$16,113.94	\$23,000.00
Certificate 2019-0039				
<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
367 21	511 Washington Street	ATCF II New Jersey LLC P.O. Box 54972 New Orleans LA 70154	\$19,805.32	\$22,000.00
Certificate 2019-0043				

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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
 Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-154-20

Date of Adoption: July 20, 2020

TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, c.72

WHEREAS, the City of Rahway adopted the CY 2020 budget on April 13, 2020 and the Union County Board of Taxation is unable to certify the tax rate for the City of Rahway at this time and the Tax Collector will be unable to mail the City's final 2020 tax bills on a timely basis;

WHEREAS, the municipal tax levy was established upon the adoption of the municipal budget, and said levy shall be utilized to determine the estimated billing amount for the August tax quarter, in accordance with N.J.S.A. 54: 4-66.3, and

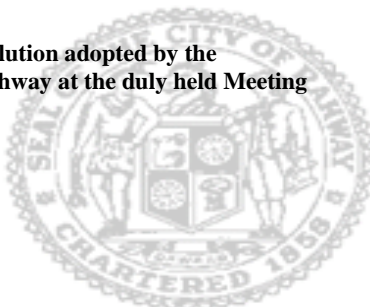
NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Rahway, Union County, New Jersey:

1. The City of Rahway Tax Collector is hereby authorized and directed to prepare, and issue estimated tax bills for the City for the third installment of 2020 taxes.
2. The municipal tax Levy for CY 2020 is estimated tax levy for 2020 is hereby set at \$38,983,658.00

In accordance with State statues the third installment of CY 2020 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-155-20

Date of Adoption: July 20, 2020

RESOLUTION TO INCREASE THE BID THRESHOLD AND AUTHORIZING A QUALIFIED PURCHASING AGENT PURSUANT TO N.J.S.A. 40A:11-3 AND N.J.A.C. 5:34-5 ET SEQ.

WHEREAS, pursuant to N.J.S.A. 40A:11-3, the State Treasurer has increased the minimum bid threshold from \$40,000 to \$44,000 for entities subject to the Local Public Contracts Law whose purchasing agents possess a Qualified Purchasing Agent (QPA) certificate awarded by the Division of Local Government Services; and

WHEREAS, this increase in the bid threshold also means that the new quote threshold for local units with QPAs is \$6,600 (15% of the \$44,000 QPA bid threshold); and

WHEREAS, N.J.S.A. 40A: 11-3a, permits an increase in the bid threshold if QPA is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a QPA; and

WHEREAS, Frank C. Ruggiero possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34:5 et seq. and City Council Resolution AR-192-03; and

WHEREAS, the City of Rahway desires to take advantage of the increased bid threshold.

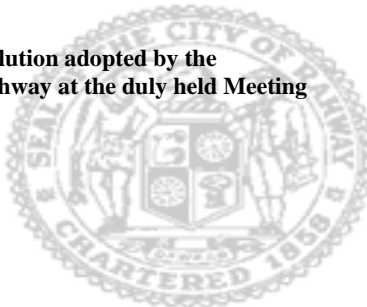
NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Rahway, Union County, New Jersey hereby increases its bid threshold to \$44,000.00 and quote threshold to \$6,600.

BE IT FURTHER RESOLVED that the Municipal Council hereby authorizes Frank C. Ruggiero as the City of Rahway's QPA to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A: 11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit.

BE IT FURTHER RESOLVED that in accordance with N.J.A.C. 5:34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy 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 20th day of July 2020.


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-156-20

Date of Adoption: July 20, 2020

RESOLUTION SUPPORTING THE #8CANTWAIT CAMPAIGN TO BRING IMMEDIATE CHANGE TO POLICE DEPARTMENTS

WHEREAS, African American, Latin, and other non-white communities most impacted by racial injustice must be heard and centered in the process of reform, they must not be the only ones to demand change; and

WHEREAS, the Mayor and City Council of the City of Rahway is committed to repairing the lasting impacts of our nation's history of racism, by both reacting and remedying problematic policies and practices as they arise, and by establishing goals to guide policymaking to come; and

WHEREAS, the Rahway City Council is committed to creating policy changes protecting all citizens and ensuring transparency across all divisions of City Government; and

WHEREAS, such short and long-term reforms and remedies focused on building racial equality must consider the breadth of issues and interactive relationships between policy areas; and

WHEREAS, the policies reducing violent interactions with police outlined in the "8 Can't Wait" are a priority for this council; and

WHEREAS, the Rahway City Council believes that public trust and confidence in the fair and efficient operation of public safety is vital to the success of this City; and

WHEREAS, on May 29, 2020, in Minneapolis, Minnesota, George Floyd was killed by a police officer, even as Mr. Floyd pled for his life and three other officers stood by without intervening; and

WHEREAS, on June 7, 2020, Mayor Raymond A. Giacobbe hosted a "Dialogue with a Police Officer" event in which African American community leaders participated in an open conversation with member of the City Police Department; and

WHEREAS, the Chief of Police, John Rodger formally announced that the police department will undergo further trainings to ensure compliance with these policies as well as encouraging his officers to engage more with the community; and

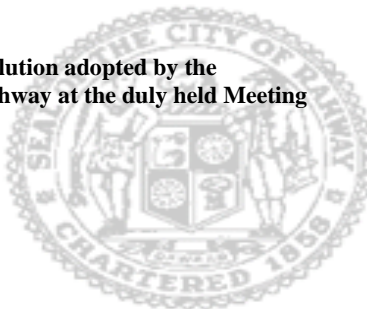
WHEREAS, the City of Rahway is in support of the Black Lives Matter Movement and its ideal and goals.

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

- (i) Strongly condemns the killing of Mr. Floyd and will not accept racism and discrimination within police forces and other systems that lead to such atrocities and erode trust.
- (ii) Express its deepest condolences and sympathies to Mr. Floyd’s family and friends, and the Minneapolis community.
- (iii) Stands in solidarity and resolves to work alongside those who strive every day to root out racism in our society, including police officers, community activists, clergy, representatives of business, nonprofits, and government and beyond; and
- (iv) Charges every member of our community to join the effort to create a more equitable and just city, state, country, and world.
- (v) Requests the Chief of Police and Business Administrator to review Rahway policies to ensure alignment with the practices recommended by the national “8 Can’t Wait” initiative including: banning chokeholds & strangleholds, requiring de-escalation, requiring warning before shooting, exhausting all alternatives before shooting, a duty to intervene, banning shooting at moving vehicles, requiring use of force continuum and requiring comprehensive reporting.

**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 20th day of July 2020.**


Rayna E. Harris, City Clerk



MOTION: Cox **SECOND:** Farrar
YES: Councilmembers Brown, Cox, Farrar,
Gibilisco, Newbury, Miles, Mojica
NO: None
ABSTAIN: None
ABSENT: Councilmembers Baker and Bresenhan