

AGENDA
PRE-MEETING CONFERENCE / REGULAR MEETING
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
AUGUST 8, 2016
7 P.M.

“Each person addressing the Council shall first give their name and address to the Clerk. All remarks shall be addressed to the Council as a body and not to any member thereof and, shall not exceed five (5) minutes in duration.”
(Chapter 5-60 (C) Rules of Order No. 3)

1. Roll Call
2. Pledge of Allegiance
Invocation
- 3. REVIEW AGENDA**
4. Hearings of Citizens on Items on Agenda, Except Ordinances on Second Reading.
(Five Minutes per Speaker)
5. Approval of Minutes
July 11, 2016 7 p.m. Pre-Meeting conference/Regular Meeting
6. Presentations
7. Communications from Mayor, reports of City Officers and list of Payment of Bills.
8. Reports of Council Committees.

9. CONSENT AGENDA

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

10. ORDINANCES - First Reading

O-23-16	AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) – PERMIT PARKING ONLY IN DESIGNATED RESIDENTIAL AREAS
O-24-16	AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 73, PERSONNEL POLICIES, OF THE CODE OF THE CITY OF RAHWAY

11. RESOLUTIONS

*AR-159-16	A RESOLUTION AUTHORIZING REFUND OF PARKS & RECREATION FEES – AUGUST 2016
*AR-160-16	HOUSING AUTHORITY APPOINTMENT
*AR-161-16	A RESOLUTION AUTHORIZING THE GREEN COMMUNITIES GRANT APPLICATION AND EXECUTION OF THE GRANT AGREEMENT GRANT IDENTIFIER: FS17-003
*AR-162-16	A RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF WATER BILLS

*AR-163-16	A RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY TO APPLY FOR THE UNION COUNTY KIDS RECREATION TRUST FUND GRANT AND ENTER INTO A CONTRACT THERETO
*AR-164-16	A RESOLUTION TO AUTHORIZE THE TRANSFER OF THE \$750,000 BOND AMOUNT APPROPRIATED BY ORDINANCE O-26-14 TO PROVIDE FOR A CONTRIBUTION AND/OR LOAN TO THE RAHWAY REDEVELOPMENT AGENCY FOR THE PURPOSE OF ACQUIRING REAL PROPERTY DESIGNATED AS 219 CENTRAL AVENUE (BLOCK 167, LOT 1) (THE FORMER ELIZABETHTOWN GAS PROPERTY) IN THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA IN THE CITY OF RAHWAY
*AR-165-16	A RESOLUTION ACCEPTING A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
*AR-166-16	A RESOLUTION AUTHORIZING THE INSTITUTION OF IN REM TAX FORECLOSURE PROCEEDINGS
*AR-167-16	A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE 2015 AND 2016 CALENDAR YEARS
*AR-168-16	A RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES 2012, 2013, AND 2015 TAX LIENS
*AR-169-16	RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$14,200,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016 (THE "REFUNDING BONDS") OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "CITY"), AUTHORIZED BY REFUNDING BOND ORDINANCES HERETOFORE DULY ADOPTED BY THE CITY COUNCIL ON APRIL 5, 2016 AND AUGUST 8, 2016, RESPECTIVELY, TO REFUND CERTAIN GENERAL OBLIGATION REFUNDING BONDS OF THE CITY DATED JANUARY 25, 2007 AND GENERAL IMPROVEMENT BONDS OF THE CITY DATED APRIL 11, 2011, AND PROVIDING FOR THE FORM AND CERTAIN MATTERS WITH RESPECT TO THE SALE AND ISSUANCE OF SAID REFUNDING BONDS
*AR-170-16	A RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF 365-1 THROUGH 365-3 (SIDEWALK ENCUMBRANCES) AND 365-50 THROUGH 365-51 (CLOSING OF STREETS) OF THE CODE OF THE CITY OF RAHWAY (WORD OF LIFE APOSTOLIC CENTER ANNUAL BACK TO SCHOOL EVENT)
*AR-171-16	A RESOLUTION AWARDDING THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED "2016 RAHWAY RESURFACING PROJECT" FOR THE CITY OF RAHWAY TO STILO EXCAVATION, INC.
*AR-172-16	CITY OF RAHWAY, NJSME PROJECT OF THE YEAR APPLICATION

ORDINANCES - Second Reading

O-16-16	AN ORDINANCE TO AMEND AND SUPPLEMENT THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT PLAN OF THE CITY OF RAHWAY PURSUANT TO N.J.S.A. 40A:12A-7
O-17-16	AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 421, ZONING, OF THE CODE OF THE CITY OF RAHWAY TO PERMIT TOWERS AND ANTENNAS FOR TELECOMMUNICATIONS SERVICES ON PUBLICLY OWNED PROPERTY
O-20-16	ORDINANCE OF THE CITY OF RAHWAY AUTHORIZING THE AWARD OF A SERVICES AGREEMENT TO SUEZ WATER ENVIRONMENTAL SERVICES INC., TO PROVIDE CONTRACT OPERATOR SERVICES FOR THE CITY'S WATER FACILITIES AND INFRASTRUCTURE
O-21-16	AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING
O-22-16	REFUNDING BOND ORDINANCE OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "CITY") PROVIDING FOR (i) THE REFUNDING OF CERTAIN OUTSTANDING GENERAL IMPROVEMENT BONDS OF THE CITY DATED APRIL 15, 2011 TO PROVIDE DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$8,500,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR

12. MISCELLANEOUS

13. Communications - Hearing of Citizens on Any Item.
(Five Minutes per Speaker)

14. Council Comment
(Three Minutes per Member)

15. **ADJOURNMENT**

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-23-16

**AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF
RAHWAY (VEHICLES AND TRAFFIC) – PERMIT PARKING ONLY IN
DESIGNATED RESIDENTIAL AREAS**

**BE IT ORDAINED BY THE MAYOR AND THE MUNICIPAL COUNCIL OF THE
CITY OF RAHWAY, THE FOLLOWING CHAPTER BE AMENDED AS FOLLOWS:**

401-83 Schedule XXV: 4 hr. Parking Resident Permit Vehicles Excluded

AMEND

<i>Essex St.</i>	<i>Side</i>	<i>Hours</i>	<i>Time</i>	<i>Location</i>
			<i>Limit</i>	
<u>From:</u> Essex St. from Bridge St. to Monroe St.	Both	12:00 a.m. to 12:00 p.m./ Monday-Sunday	4 hrs.	
<u>To:</u> Essex St. from Bridge St. to Monroe St.	Both	6:00 a.m. to 6:00 p.m./ Monday-Sunday	4 hrs.	

**ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE
PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.**

**THIS ORDINANCE SHALL TAKE EFFECT UPON FINAL PASSAGE AND
PUBLICATION AS PROVIDED BY LAW.**

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-24-16

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 73,
PERSONNEL POLICIES, OF THE CODE OF THE CITY OF RAHWAY**

WHEREAS, the City of Rahway has adopted a Personnel Policies Ordinance to create and set forth the Personnel Policy for City employees; and

WHEREAS, said Ordinance provides for the continuation of the payment of health benefits to management employees after retirement from the City subject to certain conditions; and

WHEREAS, the cost of retirees' health benefits has risen significantly in recent years and will likely continue to increase in the future; and

WHEREAS, the City finds that it is no longer fiscally prudent to provide such lifetime benefits to management employees after they retire; and

WHEREAS, the City desires to no longer provide such lifetime benefits to management employees who are hired after the effective date of this Ordinance; and

WHEREAS, the City of Rahway desires to amend and supplement portions of Chapter 73, Personnel Policies, of the Code of the City of Rahway.

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 73-7, Hospitalization and Medical Benefits, Article I, Management Employees," of the Code of the City of Rahway is amended to read as follows:

§ 73-7. Hospitalization and Medical Benefits.

A. Management employees shall be covered by City paid hospitalization and major medical insurance at a level not less than the highest coverage provided any other City employees. Said benefits as paid by the City shall cease upon retirement for management employees who are hired by the City after the effective date of this Ordinance. Said benefits shall continue after retirement for those management employees who have been employed by the City on or before the effective date of this Ordinance subject to the following:

- (1) This benefit is subject to the rules, regulations and provisions of the New Jersey Division of Pensions.

- (2) The retired management employee is eligible to enroll for said coverage through the New Jersey Division of Pensions and does so enroll.
- (3) The retired management employee is not eligible for significantly similar coverage by virtue of coverage through a family member.
- (4) The retired management employee is not eligible for government coverage through other programs; for example, Medicare.

C. In the event of the items in Subsection A(3) or (4) above, the retired management employee shall not enroll for any coverage that requires payment by the City.

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 a required by law.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-159-16

Date of Adoption: _____

A RESOLUTION AUTHORIZING REFUND OF PARKS & RECREATION FEES – AUGUST 2016

IT IS HEREBY RESOLVED, by the Municipal Council of the City of Rahway that the Treasurer is authorized and directed to refund the following amount to the following people for fees incurred with the Department of Parks & Recreation:

Name/Company	Address	Amount	Event
R.C.A.O.	796 E. Hazelwood Avenue	\$ 100.00	Hart Street Park
Mildred Waites	200 E. Milton Ave., 103W	\$ 65.00	Spirit Cruise
Shirley Austin	1854 Barnett Street	\$ 65.00	Spirit Cruise
Joseph Peter	186 Oak Street	<u>\$ 120.00</u>	Stony Hill Trip
Total		<u><u>\$ 350.00</u></u>	

BE IT FURTHER RESOLVED, the refunds be sent to the above names and addresses listed above.

RESOLUTION
CITY OF RAHWAY, NEW JERSEY

No. AR-160-16

Date of Adoption: _____

**A RESOLUTION REAPPOINTING SONDRA SNOWDEN TO THE
RAHWAY HOUSING AUTHORITY**

BE IT RESOLVED by the Municipal Council of the City of Rahway that Sondra Snowden of 1623 Lawrence St., Rahway NJ 07065 is hereby reappointed as a Commissioner of the Rahway Housing Authority, for a five year term expiring August 15, 20121.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-161-16

Date of Adoption: _____

**A RESOLUTION AUTHORIZING THE GREEN COMMUNITIES GRANT
APPLICATION AND EXECUTION OF THE GRANT AGREEMENT
GRANT IDENTIFIER: FS17-003**

WHEREAS, the governing body of **the CITY OF RAHWAY** desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000.00 to fund the following project:

**Green Communities Grant
Community Forestry Management Plan**

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, that **Cherron Rountree**, or the successor to the office of **Business Administrator** is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$3,000.00 and not more than \$3,000.00, and (c) to execute any amendments thereto any amendments thereto which do not increase the Grantee's obligations.

BE IT FURTHER RESOLVED, the **MAYOR AND COUNCIL** authorizes and hereby agrees to match **50%** of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. **100%** of the match will be made up of in-kind services (if allowed by the grant program requirements and the agreement).

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-162-16

Date of Adoption: _____

A RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF WATER BILLS

—
AUGUST 2016

WHEREAS, it appears on the books and records of the Division of Water Accounts that the following Water Accounts have been overpaid; and

WHEREAS, the owner is due a refund of overpayment.

NOW, THEREFORE BE IT RESOLVED that the Municipal Comptroller be and is hereby authorized and directed to refund the overpayment, to be made payable to:

ACCOUNT NUMBER

8793500000

NAME & ADDRESS

Robyn Venner
49 Jefferson Avenue
Rahway, NJ 07065

AMOUNT OF REFUND

\$19.89

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-163-16

Date of Adoption: _____

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

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

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

WHEREAS, the Mayor and City Council of the City of Rahway wish to apply on behalf of the City of Rahway to the Union County Trust Fund through the "Kids Recreation Trust Fund" program for laser grading and renovation of the baseball fields at Veteran's Field, Flanagan Field and Madden Field in an amount not to exceed \$24,980; and,

WHEREAS, the Mayor and City Council of the City of Rahway acknowledge that the required match, or \$24,980, will be provided by the City of Rahway

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

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-164-16

Date of Adoption: _____

A RESOLUTION TO AUTHORIZE THE TRANSFER OF THE \$750,000 BOND AMOUNT APPROPRIATED BY ORDINANCE O-26-14 TO PROVIDE FOR A CONTRIBUTION AND/OR LOAN TO THE RAHWAY REDEVELOPMENT AGENCY FOR THE PURPOSE OF ACQUIRING REAL PROPERTY DESIGNATED AS 219 CENTRAL AVENUE (BLOCK 167, LOT 1) (THE FORMER ELIZABETHTOWN GAS PROPERTY) IN THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA IN THE CITY OF RAHWAY

WHEREAS, on August 11, 2014, the City of Rahway Municipal Council adopted Bond Ordinance O-26-14 to provide for a contribution and/or loan to the Rahway Redevelopment Agency for the purpose of acquiring real property designated as 219 Central Avenue (Block 167, Lot 1) (the former Elizabethtown Gas property) (“Property”) in the Central Business District Redevelopment Area; and

WHEREAS, and said Ordinance appropriated \$750,000 and authorized the issuance of bonds or notes in that amount to finance the purchase of the property by the Rahway Redevelopment Agency; and

WHEREAS, the Rahway Redevelopment Agency now desires to purchase the Property; and

WHEREAS, the City of Rahway desires to transfer the \$750,000 bond amount to the Rahway Redevelopment Agency in order for the Agency to acquire the Property.

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

1. The \$750,000 appropriated as a contribution and/or loan to the Rahway Redevelopment Agency in the form of bonds or notes is hereby transferred to the Rahway Redevelopment Agency for the purpose of acquiring the property designated as 219 Central Avenue (Block 167, Lot 1) (the former Elizabethtown Gas property) in the Central Business District Redevelopment Area of the City of Rahway.

I, Rayna E. Harris, Municipal Clerk of the City of Rahway do hereby certify that the foregoing is a true copy of a resolution duly passed and adopted by the Mayor and City Council at its meeting held on the _____ day of _____, 2016.

Samson Steinman, Mayor

Rayna E. Harris, Municipal Clerk

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-165-16

Date of Adoption: _____

**A RESOLUTION ACCEPTING A GRANT FROM THE HAZARDOUS DISCHARGE
SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW
JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

WHEREAS, the City of Rahway has applied for and has been awarded a grant in the amount of up to \$104,025 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for Remedial Investigation along with report preparation of the Former Automotive Analysis, 80 East Milton Avenue property.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Rahway that the above referenced grant is hereby accepted and the (Mayor, Administrator, etc.) is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the City of Rahway.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

I, Rayna E. Harris, Municipal Clerk of the City of Rahway do hereby certify that the foregoing is a true copy of a resolution duly passed and adopted by the Mayor and City Council at its meeting held on the _____ day of _____, 2016.

Samson Steinman, Mayor

Rayna E. Harris, Municipal Clerk

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-166-16

Date of Adoption: _____

A RESOLUTION AUTHORIZING THE INSTITUTION OF IN REM TAX FORECLOSURE PROCEEDINGS

WHEREAS, the Tax Collector of the City of Rahway has prepared an In Rem Tax Foreclosure list and has certified the same to the Municipal Council; and

WHEREAS, it is the desire of the Municipal Council of the City of Rahway to institute In Rem Foreclosure proceedings against the properties which are set forth in the preliminary Schedule attached hereto; and

WHEREAS, it is in the best interest of the City to institute said proceedings.

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

1. That the Municipal Council of the City of Rahway does hereby authorize the institution of In Rem Foreclosure proceedings in regard to the properties set forth in the Schedule attached hereto.
2. That a certified copy of this Resolution be forwarded to the City Tax Collector of the City and Brian M. Hak, Esq., Corporation Counsel.

I, Rayna E. Harris, Municipal Clerk of the City of Rahway do hereby certify that the foregoing is a true copy of a resolution duly passed and adopted by the Mayor and City Council at its meeting held on the _____ day of _____, 2016.

Samson Steinman, Mayor

Rayna E. Harris, Municipal Clerk

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-167-16

Date of Adoption: _____

A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE 2015 AND 2016 CALENDAR YEARS

WHEREAS, it has been found that the following 2015 C/Y and 2016 C/Y taxes have been overpaid in error.

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

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

2015 CALENDAR YEAR TAXES

<u>BLOCK</u>	<u>LOT</u>	<u>OWNERS</u>	<u>PROPERTY ADDRESS</u>	<u>REFUND</u>
246	73	Nicole Tisdale 946 Apgar Terr. Rahway NJ 07065	946 Apgar Terr.	\$29.24
177	07	Jose Sosa 731 Stone Street Rahway NJ 07065	731 Stone Street	\$5.12
318	20	Cherry Street Properties LLC 160 Hopper Ave Waldwick NJ 07463	44 East Cherry Street	\$27.22
318	21	Cherry Street Properties LLC 160 Hopper Ave Waldwick NJ 07463	38 East Cherry Street	\$9.62
318	22	Cherry Street Properties LLC 160 Hopper Ave Waldwick NJ 07463	1465-9 Irving Street	\$26.75

2016 CALENDAR YEAR TAXES

<u>BLOCK</u>	<u>LOT</u>	<u>OWNERS</u>	<u>PROPERTY ADDRESS</u>	<u>REFUND</u>
361	13	Robert Castro JR & Maria Belsy 1956 Beacon Street Rahway NJ 07065	1956 Beacon Street	\$248.17
10	08	Federal National Mortgage Association Olde School Title Services LLC	483 Jaques Ave	\$272.07

		247 Franklin Ave Nutley NJ 07110		
17	02	Daniel R & Jo-Ann Jayson 5 Wheatly Court Scotch Plains NJ 07076	402 St Georges Ave	\$313.44
30	13	Brad & Debra Fleischman 507 Albermarle Street Rahway NJ 07065	507 Albermarle Street	\$176.02
83	09	Pedro Tenorio & Velky Lerma 72 West Hazelwood Ave Rahway NJ 07065	72 West Hazelwood Ave	\$76.66
91	17	Jorge Sarmiento Reliant Abstract LLC 3 Becker Farm Rd, Suite 305 Roseland NJ 07068	1081 Bryant Street	\$133.89
105	08	Gloria Cortes-Jessica Ortiz 479 West Lake Ave Rahway NJ 07065	479 West Lake Ave	\$159.46
152	14	Noil A & Masami Hill Orchard Street Settlements LLC 615 Lacey Road Forked River NJ 08731	1516 Campbell Street	\$129.43
184	05	Bank of America N A Kensington Property Investment Group LLC 600 Kensington Drive Westfield NJ 07090	994 Hamilton Street	\$2,335.54
324	13	Yvonne & Basha Miller 1706 Lawrence Street Rahway NJ 07065	1706 Lawrence Street	\$542.17
332	12	DRGK LLC Law Offices of Wayne A. Stahlmann 198 Boulevard Hasbrouck Heights NJ 07604	1548 Totten Street	\$83.71
368	08	Angela Terry 542 East Milton Ave Rahway NJ 07065	542 East Milton Ave	\$179.71

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-168-16

Date of Adoption: _____

A RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES 2012, 2013, AND 2015 TAX LIENS

WHEREAS, the City of Rahway held Tax Lien Sales on April 20, 2012; May 17, 2013 and November 13, 2015 for unpaid Fiscal 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.

2012 Tax Liens

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
237 19	410 Koenig Place	FWDSL & Associates LP 17 West Cliff Street Somerville NJ 08876	\$ 4,663.63	\$ 600.00
Certificate 2012-0198				

2013 Tax Liens

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
384 13	Brady CT	Us Bank Cus for Tower DBW III 50 S. 16th Street STE 1950 Philadelphia PA 19102	\$ 14,577.17	\$ 3,300.00
Certificate 2013-0201				

2015 Tax Liens

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>CERT OWNER</u>	<u>REFUND</u>	<u>PREMIUM</u>
61 11	517 Sycamore Street	US Bank Cust/PFS Financial 1 LLC P.O. Box 645236 Cincinnati OH 45264	\$ 5,295.58	\$ 27,000.00
Certificate 2015-0009				
234 26	262 Morton Ave	US Bank Cust/PC6 LLC Sterling NTL Us Bank Global Cor Trst 50 S. 16th Street STE 2050 Philadelphia PA 19102	\$762.92	\$1,100.00
Certificate 2015-0035				
312 12	122 East Emerson Ave	US Bank Cust/PFS Financial 1 LLC P.O. Box 645236 Cincinnati OH 45264	\$8,010.65	\$35,100.00
Certificate 2015-0053				

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-169-16

Date of Adoption: _____

RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$14,200,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016 (THE “REFUNDING BONDS”) OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE “CITY”), AUTHORIZED BY REFUNDING BOND ORDINANCES HERETOFORE DULY ADOPTED BY THE CITY COUNCIL ON APRIL 11, 2016 AND AUGUST 8, 2016, RESPECTIVELY, TO REFUND CERTAIN GENERAL OBLIGATION REFUNDING BONDS OF THE CITY DATED JANUARY 25, 2007 AND GENERAL IMPROVEMENT BONDS OF THE CITY DATED APRIL 15, 2011, AND PROVIDING FOR THE FORM AND CERTAIN MATTERS WITH RESPECT TO THE SALE AND ISSUANCE OF SAID REFUNDING BONDS

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented (the “Local Bond Law”), the City of Rahway, in the County of Union, State of New Jersey (the “City”), had previously issued \$7,945,000 aggregate principal amount of General Obligation Refunding Bonds, Series 2006 on January 25, 2007 (the “2007 Original Bonds”) and \$11,650,000 aggregate principal amount of General Improvement Bonds, Series 2011A on April 15, 2011 (the “2011 Original Bonds” and together with the 2007 Original Bonds, the “Original Bonds”); and

WHEREAS, \$5,210,000 outstanding 2007 Original Bonds maturing in the years 2017 through 2026 (the “2007 Refunded Bonds”) and \$7,000,000 outstanding 2011 Original Bonds maturing in the years 2021 through 2030 (the “2011 Refunded Bonds” and together with the 2007 Refunded Bonds, the “Refunded Bonds”) are currently subject to redemption, either in whole or in part, prior to their stated maturity; and

WHEREAS, the City Council desires to refund all or a portion of the aforesaid Refunded Bonds through the issuance of its General Obligation Refunding Bonds, Series 2016 (or such other designation as shall be appropriate at the time of issuance for the Bonds) in an aggregate principal amount not to exceed \$14,200,000 (the “Refunding Bonds”), which may be issued in more than one series and on different dates; and

WHEREAS, the City Council has adopted Refunding Bond Ordinances on April 11, 2016 and on August 8, 2016, respectively (collectively, the “Refunding Bond

Ordinance”) authorizing the issuance of the Refunding Bonds in an aggregate principal amount not exceeding \$14,200,000, a portion of the sale proceeds of which shall be used to refund the Refunded Bonds; and

WHEREAS, in its efforts to achieve debt service savings for the City’s taxpayers, the City Council now desires and finds it necessary to issue the Refunding Bonds pursuant to the Refunding Bond Ordinance, in the aggregate principal amount not to exceed \$14,200,000, and it is deemed advisable and in the best interests of the City to provide for the form, sale, maturity dates and other matters in connection with such authorization, sale, issuance and delivery of the Refunding Bonds.

NOW THEREFORE, BE IT RESOLVED 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. Authority for Resolution. Pursuant to the provisions of the Local Bond Law, the City Council has heretofore adopted the Refunding Bond Ordinance that authorizes the issuance of the Refunding Bonds in the aggregate principal amount not to exceed \$14,200,000, and the City Council hereby determines to issue, pursuant to the Refunding Bond Ordinance, the Refunding Bonds of the City in an aggregate principal amount not to exceed \$14,200,000 as described below in Section 2.

SECTION 2. Authorization of the Refunding Bonds. In accordance with the Local Bond Law, and for the purpose of providing funds to (i) achieve debt service savings by refunding all or a portion of the Refunded Bonds, and (ii) pay the allocable portion of the costs of issuance relating to the Refunding Bonds, including printing, advertising, underwriting, accounting, fiduciary, financial and legal services and rating agency and credit enhancement fees, as applicable, and as more fully set forth in the Refunding Bond Ordinance, there shall be issued Refunding Bonds of the City in an aggregate principal amount not to exceed \$14,200,000, which may be issued in more than one series, on different dates and consist of General Obligation Refunding Bonds, pursuant to the Refunding Bond Ordinance. Said Refunding Bonds shall be designated “General Obligation Refunding Bonds, Series 2016” (or such other designation as shall be applicable at the time of issuance thereof).

SECTION 3. Details of the Refunding Bonds. The Refunding Bonds shall be payable with respect to principal and interest in any coin or currency of the United States of America which, at the respective dates of payment thereof, is legal tender for the payment of public and private debts, shall be issued in fully registered book-entry only form, without coupons, payable to a Securities Depository (as defined herein) or its registered assigns, and in denominations of \$5,000 or any integral multiple of \$1,000 in excess thereof and shall be issued substantially in the form provided in Section 8 of this Resolution, with such omissions, insertions and variations as are properly required. The Refunding Bonds shall be dated, shall mature in each of the years, shall bear interest from their date of issuance and shall contain such other terms including, but not limited to, redemption provisions, as shall be

determined by the Chief Financial Officer and Bond Counsel (as defined herein) to the City. The Refunding Bonds shall be numbered consecutively from “GRB-1” upwards.

The Refunding Bonds shall mature in each of the years and shall bear interest at the respective rates of interest per annum from their date of issuance, until such Refunding Bonds shall be paid or discharged as shall be set forth in the Bond Purchase Contract to be dated the date of the sale and award of the Refunding Bonds by and between the City and NW Capital Markets Inc., Hoboken, New Jersey, as the underwriter named therein (the “Bond Purchase Contract”).

Interest on the Refunding Bonds shall be payable as shall be determined by the Chief Financial Officer and Bond Counsel to the City and as shall be set forth in the Bond Purchase Contract (each an “Interest Payment Date”) in each year until maturity, or prior redemption, as applicable, by wire transfer of the Paying Agent (as defined herein) to the registered owners thereof whose names appear on the registration books of the Paying Agent fifteen (15) days preceding each Interest Payment Date (the “Record Date”), at their respective addresses as shown in the registration books of the Paying Agent.

SECTION 4. Redemption. The Refunding Bonds shall be subject to redemption prior to their stated maturities as shall be determined by the Chief Financial Officer and Bond Counsel to the City.

SECTION 5. Payment of the Refunding Bonds. The principal of the Refunding Bonds, when due, shall be payable upon presentation and surrender thereof at the City Hall, 1 City Hall Plaza, Rahway, New Jersey, 07065 acting in the capacity of Paying Agent or the principal corporate trust office of any paying agent duly appointed by the City (collectively, the “Paying Agent”).

SECTION 6. Execution of the Refunding Bonds. The Refunding Bonds shall be executed in the name of the City by the manual or facsimile signatures of the Mayor or the Business Administrator of the City (when serving as Acting Mayor) and the Chief Financial Officer of the City and the seal of the City shall be affixed, imprinted or reproduced thereon and attested to by the manual signature of the City Clerk. If any officer whose signature appears on the Refunding Bonds ceases to hold office before the delivery of the Refunding Bonds, his or her signature shall nevertheless be valid and sufficient for all purposes. In addition, any Refunding Bond may bear the signature of, or may be signed by, such persons as at the actual time of the signing of such Refunding Bond shall be the proper officers to sign such Refunding Bond although at the date of such Refunding Bond such persons may not have been officers.

SECTION 7. Registration of the Refunding Bonds. The Paying Agent shall also maintain and keep books for the registration and transfer of the Refunding Bonds. The Paying Agent shall also act as agent for the City with respect to the transfer or exchange of any of the Refunding Bonds.

SECTION 8. Form of the Refunding Bonds. Subject to the provisions of this Resolution, the Refunding Bonds shall be in substantially the form set forth in Exhibit A attached hereto, with such additions, deletions, omissions, endorsements and variations as may be required or permitted by this Resolution or the Refunding Bond Ordinance or as may be consistent with this Resolution and the Refunding Bond Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto or as may be necessary for the City to market the Refunding Bonds in accordance with the requirements of DTC, upon advice of Bond Counsel to the City.

SECTION 9. Book-Entry Only System. The Refunding Bonds shall be initially issued in book-entry only form in the form of one certificate for the aggregate principal amount of the Refunding Bonds maturing in each year and, when issued, will be registered in the name of and held by Cede & Co., as registered owner and nominee for The Depository Trust Company, New York, New York (“DTC”), which is hereby appointed as securities depository (the “Securities Depository”) for the Refunding Bonds. Except as provided in Section 9(c) hereof, all of the outstanding Refunding Bonds shall be registered in the name of and held by Cede & Co., as registered owner and nominee for DTC.

SECTION 10. Application of Proceeds of the Refunding Bonds. (a) From the proceeds of the sale of the Refunding Bonds, the following amounts, if stated herein, shall simultaneously with the issuance of such Refunding Bonds (or as soon as practicable thereafter) be paid by the City as follows:

(i) To the payees designated by the Mayor or Business Administrator (when serving as Acting Mayor) and/or Chief Financial Officer of the City, amounts representing the costs of issuance for the Refunding Bonds, which shall be in an amount not to exceed \$350,000, including underwriter’s discount;

(ii) To the City, an amount representing accrued interest, if any, on the Refunding Bonds from the Issue Date to the date of delivery thereof and payment therefor, such amount to be used for the payment of interest on the Refunding Bonds as the same shall become due and payable on the first Interest Payment Date; and

(iii) To the Escrow Agent (as defined herein) appointed pursuant to Section 10(b) hereof, an amount to be held in trust to accomplish the redemption and/or payment at maturity of all or a portion of the Refunded Bonds.

(b) The Chief Financial Officer of the City is hereby authorized and directed, in consultation with Bond Counsel and the Auditor, to negotiate and approve an Escrow Deposit Agreement by and between the City and the Escrow Agent (the “Escrow Deposit Agreement”) to be selected by the Chief Financial Officer, in consultation with Bond Counsel and the Auditor, providing for the portion of the proceeds of the sale of the Refunding Bonds described in Section 10(a)(iii) hereof (the "Refunding Proceeds") to be deposited in an escrow fund to be held by the Escrow Agent in trust to, among other things, (i) advance refund all or a portion of the Refunded Bonds (as defined herein), (ii) pay interest on all or

a portion of the Refunded Bonds until the date fixed for redemption, (iii) pay the redemption premium, if any, on the principal amount of the Refunded Bonds on the date fixed for redemption. The Chief Financial Officer of the City is hereby authorized and directed to execute and deliver the Escrow Deposit Agreement on behalf of the City. Any moneys in such fund may be invested as provided in the Local Bond Law and other applicable law and any moneys in excess of the amounts required for such purpose may be used for any lawful purpose of the City.

(c) Pending disbursement for the purposes thereof, the portion of the proceeds of the sale of the Refunding Bonds not constituting Refunding Proceeds may be invested to the extent permitted by law.

SECTION 11. Award of Refunding Bonds. NW Capital Markets Inc., Hoboken, New Jersey, is hereby appointed underwriter (the "Underwriter") for the Refunding Bonds. The Mayor or the Business Administrator (when serving as Acting Mayor) and the Chief Financial Officer are each hereby authorized and directed, in consultation with Bond Counsel, to negotiate and approve the terms of the Bond Purchase Contract with the Underwriter for the purchase of the Refunding Bonds, including the compensation to the Underwriter for the marketing and purchase of the Refunding Bonds. Such fee shall be in an aggregate amount not to exceed \$81,650 (based on \$5.75 per \$1,000 of Refunding Bonds sold). The Refunding Bonds are hereby authorized to be sold to the Underwriter in accordance with the terms of the Bond Purchase Contract. The Mayor or Business Administrator (when serving as Acting Mayor) and/or Chief Financial Officer of the City are each hereby authorized and directed to execute and deliver the Bond Purchase Contract on behalf of the City.

SECTION 12. Prior Action. All actions taken to date by the officers, employees, professionals and agents of the City with respect to the authorization, sale and issuance of the Refunding Bonds including, but not limited to, submissions and applications to rating agencies and the execution and delivery of subscription forms for the purchase of United States Time Deposit Securities – State and Local Government Series, be and the same hereby are approved, ratified, adopted and confirmed, *nunc pro tunc*, and the Mayor or the Business Administrator (when serving as Acting Mayor) and/or Chief Financial Officer are hereby authorized and directed to execute and deliver any such agreements, documents or submissions, and the City Clerk is hereby authorized and directed to attest to the signatures of the Mayor or the Business Administrator (when serving as Acting Mayor) and the Chief Financial Officer and to affix the seal of the City on such agreements, documents or submissions.

SECTION 13. Official Statement. All action taken to date by the officers, employees, professionals and agents of the City with respect to the authorizations, sale and issuance of the Refunding Bonds, and all actions taken by Bond Counsel and the Auditor (as defined herein) on behalf of the City with respect to the preparation of the Official Statement (the "Official Statement") and the preliminary form thereof (the "Preliminary Official Statement") to be used in connection with the marketing of the Refunding Bonds are hereby approved, ratified and confirmed, *nunc pro tunc*. The distribution by the Underwriter of such

Preliminary Official Statement on behalf of the City to be used in connection with the marketing of such Refunding Bonds by the Underwriter, is hereby approved. The Mayor or the Business Administrator (when serving as Acting Mayor) and/or Chief Financial Officer of the City are each hereby authorized and directed to execute and deliver a certificate that “deems final” the Official Statement in accordance with the Rule.

Upon the sale of the Refunding Bonds to the Underwriter, the Preliminary Official Statement shall be modified, in consultation with Bond Counsel, to reflect the effect of the Bond Purchase Contract and any other revisions not inconsistent with the substance thereof deemed necessary or advisable by Bond Counsel, and said Preliminary Official Statement (“deemed final” by the City in accordance with the Rule) as so modified shall constitute the final Official Statement. The Mayor or the Business Administrator (when serving as Acting Mayor) and Chief Financial Officer are each hereby authorized and directed on behalf of the City to execute and deliver said Official Statement.

SECTION 14. Delivery of Refunding Bonds. The Refunding Bonds, in registered form shall, as soon as practicable, be prepared, executed and delivered in definitive form to the Underwriter at the expense of the City, upon payment in full of the purchase price for the Refunding Bonds.

SECTION 15. Actions to be Taken on Behalf of the City. The various officers of the City are hereby authorized and directed to do all matters necessary, useful, convenient or desirable to accomplish the (a) sale, issuance and delivery of the Refunding Bonds to the Underwriter as promptly as possible, in accordance with the provisions hereof, and (b) execution of the closing documents necessary in connection with the sale, issuance and delivery of the Refunding Bonds.

The Underwriter, the City’s auditor, Lerch, Vinci & Higgins, LLP, Fair Lawn, New Jersey (the “Auditor”) and the City’s bond counsel, Archer & Greiner P.C., Red Bank, New Jersey (“Bond Counsel”), are each hereby authorized to prepare and arrange for the printing or reproduction of the Preliminary Official Statement, the Official Statement and the Refunding Bonds, and any such actions heretofore taken by such Underwriter, Auditor and Bond Counsel are hereby ratified and confirmed, *nunc pro tunc*.

SECTION 16. Auditor. The City hereby appoints and authorizes the Auditor to prepare the financial statements for inclusion in the Preliminary Official Statement and Official Statement to be used in conjunction with the marketing, sale and issuance of the Refunding Bonds.

SECTION 17. Authorizations. The Chief Financial Officer of the City is hereby authorized and directed to determine all matters in connection with the Refunding Bonds not determined by this or a subsequent resolution, all in consultation with Bond Counsel, and the manual or facsimile signature of the Chief Financial Officer of the City upon the Refunding Bonds and any other documents shall be conclusive as to all such determinations. The Chief Financial Officer of the City shall report in writing to the governing body at the next meeting thereof as to the principal amounts, maturities and numbers of the

Refunding Bonds so delivered, which report shall be entered in the minutes of the governing body, and a copy of such report shall be filed within five (5) days thereafter with the Director of the Local Finance Board. The Mayor, the Business Administrator, the Chief Financial Officer of the City, the City Clerk and any other City officer, official or professional are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale and closing of the Refunding Bonds, including the Refunding Bonds and the refunding report required to be filed pursuant to N.J.A.C 5:30-2.5, and to take such actions or refrain from such actions as are necessary for the issuance of the Refunding Bonds, in consultation with Bond Counsel, and all such actions or inactions by the aforesaid City officers, officials and professionals heretofore are hereby ratified and confirmed, *nunc pro tunc*.

SECTION 18. Pledge of City. The full faith and credit of the City are hereby pledged for the payment of the principal of and interest on the Refunding Bonds. The Refunding Bonds shall be direct 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 and interest on the Refunding Bonds without limitation as to rate or amount.

SECTION 19. Tax Covenant. The City hereby covenants with the holders from time to time of the Refunding Bonds that it will make no investment or other use of the proceeds of the Refunding Bonds or take any other action (or refrain from taking such action) which would cause the Refunding Bonds to be “arbitrage bonds” within the meaning of the Internal Revenue Code of 1986, as amended and supplemented, or under any similar statutory provision or any rule or regulation promulgated thereunder (the “Code”), or would cause interest on the Refunding Bonds not to be excludable from gross income for federal income tax purposes, and that it will comply with the requirements of the Code and said regulations throughout the term of the Refunding Bonds.

The Chief Financial Officer of the City is hereby further authorized and directed to establish an Investment Rebate Account (the “Rebate Account”) and provide for the deposit therein, for delivery to the United States Treasury of “excess investment earnings,” as may from time to time be required by Section 148 of the Code, all as may be set forth in a letter or letters of instruction to the City submitted by Bond Counsel in connection with the Refunding Bonds.

SECTION 20. Ratings and Insurance. The Chief Financial Officer of the City is hereby authorized and directed, upon consultation with Bond Counsel, the Underwriter and the Auditor, to submit information and financial data to ratings agencies and municipal bond insurance companies so long as the purchase of municipal bond insurance for the Refunding Bonds is cost effective in the marketing of the Refunding Bonds to reduce the interest costs to the City and, if so, then to execute and deliver a commitment for municipal bond insurance (the “Commitment”) with a bond insurer to insure the payment of principal of and interest on the Refunding Bonds; and is further authorized and directed to carry out the terms and conditions contained in the Commitment and to execute and deliver all documents, agreements and conditions in connection with the issuance of the Refunding Bonds and the Commitment.

SECTION 21. Continuing Disclosure. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of a Continuing Disclosure Certificate (the "Certificate") which will set forth the obligation of the City to file budgetary, financial and operating data on an annual basis and notices of certain enumerated events deemed material in accordance with the provisions of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended. The Chief Financial Officer of the City is hereby authorized and directed to execute and deliver this Certificate to the purchaser of the Refunding Bonds evidencing the City's undertaking with respect to the Rule. Notwithstanding the foregoing, failure of the City to comply with the Certificate shall not be considered a default on the Refunding Bonds; however, any Refunding Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance, to cause the City to comply with its obligations hereunder and thereunder. The Chief Financial Officer of the City or any other City officer, official or professional are each hereby authorized and directed to execute and deliver all certificates, documents and agreements in connection therewith and to file budgetary, financial and operating data on an annual basis and notices of certain enumerated events as required to comply with and in accordance with the provisions of the Rule.

SECTION 22. Verification of Escrow. The Chief Financial Officer of the City, in consultation with Bond Counsel, is hereby authorized and direct to execute and deliver an agreement with Lerch, Vinci & Higgins, LLP, Fair Lawn, New Jersey, who is hereby appointed to serve as verification agent to verify the sufficiency of the escrow created to refund the Refunded Bonds.

SECTION 23. Effective Date. This Resolution shall take effect upon the effective date of the Refunding Bond Ordinance.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-170-16

Date of Adoption: _____

**A RESOLUTION TEMPORARILY SUSPENDING PROVISIONS OF 365-1 THROUGH 365-3
(SIDEWALK ENCUMBRANCES) AND 365-50 THROUGH 365-51 (CLOSING OF STREETS)
OF THE CODE OF THE CITY OF RAHWAY (WORD OF LIFE APOSTOLIC CENTER
ANNUAL BACK TO SCHOOL EVENT)**

WHEREAS, on August 27, 2016 Word of Life Apostolic Center, Inc. will be conducting its annual Back to School event; and

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

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Rahway hereby authorizes that the provisions of Chapters 365-1 through 365-3 (Sidewalk Encumbrances) are suspended between the hours of 7 a.m.-6 p.m. on August 27, 2016 on the following street:

Elm Avenue between Irving and Campbell Streets

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

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-171-16

Date of Adoption: _____

**A RESOLUTION AWARDING THE ACCEPTANCE OF BID FOR THE PROJECT ENTITLED
“2016 RAHWAY RESURFACING PROJECT” FOR THE CITY OF RAHWAY TO STILO
EXCAVATION, INC.**

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

WHEREAS, there were seven (7) bids received with the low bidder for the project being Stilo Excavation, Inc. with a Base Bid of \$764,782.00, Alternate Bid ‘A’ of \$133,709.79, and Alternate Bid ‘B’ of \$87,374.52 totaling \$985,866.31; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Rahway that the following bid is hereby found and determined, as per the specifications, that Stilo Excavation, Inc., 2907 South Clinton Ave., South Plainfield, NJ 07080, has bid the lowest price and is the lowest responsible bidder, and a contract is hereby awarded to Stilo Excavation, Inc. consisting of the following bid breakdown:

1. Base Bid: \$764,782.00
2. Alternate Bid ‘A’-Washington Street: \$133,709.79
3. Alternate Bid ‘B’-Montgomery Street: \$87,374.52
4. Total Base and Alternate Bid ‘A’ and Alternate Bid ‘B’: \$985,866.31

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

BID OF: STILO EXCAVATION, INC.
2907 SOUTH CLINTON AVE.
SOUTH PLAINFIELD, NJ 07080

FOR: 2016 RAHWAY RESURFACING PROJECT

AMOUNT: \$985,866.31

Attached hereto is the certification of the Chief Financial Officer of the City of Rahway, which states that there are legally appropriated sufficient funds within the General Capital Fund –Ordinance O-18-16 to cover the cost of this contract.

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

RESOLUTION
CITY OF RAHWAY, NEW JERSEY

No. AR-172-16

Date of Adoption: _____

CITY OF RAHWAY, NJSME PROJECT OF THE YEAR APPLICATION

ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-16-16

AN ORDINANCE TO AMEND AND SUPPLEMENT THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT PLAN OF THE CITY OF RAHWAY PURSUANT TO N.J.S.A. 40A:12A-7

WHEREAS, pursuant to the “Local Redevelopment and Housing Law,” P.L.1992, c.79 (C.40A:12A-1 et seq.) (the “Redevelopment Law”), by an ordinance approved on March 11, 2013, the Rahway City Council (“City Council”), adopted an Amended and Supplemented Redevelopment Plan for the Central Business District Redevelopment Area (the “Redevelopment Plan”); and

WHEREAS, the City of Rahway desires to amend and supplement portions of the Redevelopment Plan; and

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. “Section IV. Specific Development Regulations, B. Development Regulations for Subdistricts CBD-1, CBD-2 and CBD-3, Subsection 1, Permitted Principal Uses In Any Location, paragraph h, Personal Service Uses” of the Redevelopment Plan is amended to read as follows:

h. Personal service uses. No personal service use shall be located within 500 feet of the same (type) use.

Section 2. Upon introduction of this Ordinance to adopt the proposed amendments to the Amended and Supplemented Redevelopment Plan, it shall be referred to the Rahway Planning Board (the “Planning Board”) for its consideration pursuant to N.J.S.A. 40A:12A-7.e.

Section 3. The proposed amendment to the Amended and Supplemented Redevelopment Plan is substantially consistent with the Master Plan of the City of Rahway.

Section 4. Prior to the adoption of the proposed amendments to the Amended and Supplemented Redevelopment Plan, Planning Board shall, within 45 days after referral, transmit to the City Council, a report containing its recommendation concerning the amendments to the Amended and Supplemented Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-7.e.

Section 5. Upon receipt of the Planning Board’s recommendation or if the Planning Board fails to transmit a recommendation within 45 days after referral, the City Council may act

upon this Ordinance adopting the proposed amendments to the Amended and Supplemented Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.e.

Section 6. Upon adoption of this Ordinance, the Amended and Supplemented Redevelopment Plan shall be amended to include the amendment as set forth above in Section 1 of this Ordinance.

Section 7. All Ordinances or parts of Ordinances inconsistent herewith are repealed.

Section 8. 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 9. This Ordinance shall take effect twenty (20) days after approval in accordance with applicable law.

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on 6/13/16.

M– Mojica

S –Giacobbe

YES: Brown, Cox, Farrar, Giacobbe, Miles, Mojica, Baker

ABSENT: Bresenhan, Wenson Maier

Rayna E. Harris, City Clerk

ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-17-16

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 421, ZONING, OF THE CODE OF THE CITY OF RAHWAY TO PERMIT TOWERS AND ANTENNAS FOR TELECOMMUNICATIONS SERVICES ON PUBLICLY OWNED PROPERTY

WHEREAS, the City of Rahway (“City”) desires to create the opportunity to locate communication facilities in areas in which, in the opinion of the City, will have no appreciable adverse impact on the character of the community, nor will it encroach on the reasonable expectations of the residents of the City and their homes and personal safety remain protected; and

WHEREAS, the City of Rahway desires to limit the location of such facilities to areas which are both acceptable to communication companies wishing to provide such services that are consistent with the City’s objectives stated above; and

WHEREAS, the overriding objective of this ordinance is to establish general guidelines for the siting of wireless communication towers and antennas, to insure that the public health, safety and welfare is safeguarded and that the purposes of the Municipal Land Use Law (“MLUL”) are advanced.

NOW, THEREFORE, be it ordained, by the Municipal Council of the City of Rahway, County of Union, and State of New Jersey, that Chapter 421 of the Municipal Code is hereby amended, revised and supplemented as follows:

Section 1. Article II, §421-4, “Terms defined” is amended to include the following:

"Alternative tower structure" means structures that camouflage or conceal the presence of antennas or towers.

"Antenna" means any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

"Height" means, when referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.

“Publically-owned property” means property owned, leased or otherwise controlled by the City of Rahway, the City of Rahway Board of Education, or the County of Union or any agency or subdivision thereof.

Section 2. “Article V, ‘Supplementary Use Regulations’” is amended to include a new section entitled “Towers and Antennas” to read as follows:

A. Permitted Uses.

1. General. The uses listed in this Section are deemed to be permitted uses and shall not require administrative approval or a conditional use permit.

2. Permitted Uses. The following uses are specifically permitted: Antennas, towers, or alternate tower structures located on Publically-owned property, provided an agreement authorizing such antenna or tower has been entered into with the public owner of the property.

B. General Requirements.

1. Principal or Accessory Use. Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.

2. Lot Size. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to setback requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lot.

3. Inventory of Existing Sites. Each applicant for an antenna and/or tower shall provide to the City Zoning Officer an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of the City of Rahway or within one mile of the border thereof, including specific information about the location, height, and design of each tower. The City Zoning Officer may share such information with other applicants applying for administrative approvals or special use permits under this ordinance or other organizations seeking to locate antennas within the jurisdiction of the City of Rahway, provided, however, that the City Zoning Officer is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

4. Aesthetics. Towers and antennas shall meet the following requirements:

a. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the Federal Aviation Association (“FAA”), be painted a neutral color so as to reduce visual obtrusiveness.

b. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend towers and related structure into the natural setting and surrounding buildings.

c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

5. Lighting. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views.

6. State or Federal Requirements. All towers must meet or exceed current standards and regulations of the FAA, the Federal Communications Commission and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

7. Building Codes: Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the City of Rahway concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said thirty (30) days shall constitute grounds for the removal of the tower or antenna at the owner's expense.

8. Measurement. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in the City of Rahway irrespective of municipal and county jurisdictional boundaries.

9. Not Essential Services. Towers and antennas shall be regulated and permitted pursuant to this ordinance and shall not be regulated or permitted as essential services, public utilities, or private utilities.

10. Franchises. Owners and/or operators of towers or antennas shall certify that all franchises required by law for the construction and/or operation of a wireless communication system in the City of Rahway have been obtained and shall file a copy of all required franchises with the City Zoning Officer.

11. Signs. No signs shall be allowed on an antenna or tower.

12. Multiple Antenna/Tower Plan. The City of Rahway encourages the users of towers and antennas to submit a single application for approval of multiple towers and/or antenna sites.

C. Area, Bulk and Yard Requirements:

1. Minimum front yard setback - 50 feet or the height of the structure, whichever is greater.
2. Minimum rear yard setback - 50 feet or the height of the structure, whichever is greater.
3. Minimum side yard setback - 5 feet.
4. Maximum height of tower - 130 feet.
5. Maximum height of associated structures - 8 feet.
6. Maximum square footage of associated structures - 150 square feet.

D. Additional Requirements

1. All facilities shall be suitably secured and enclosed in a fence of not less than 6 feet high.
2. Site plan approval by the Rahway Planning Board shall be required and the following information shall be provided:
 - a. A scaled site plan clearly indicating the location, type and height of the proposed tower, on-site land uses and zoning, adjacent land uses and zoning within 200' (including when adjacent to other municipalities), Master Plan classification of the site and all properties within the applicable separation distances set forth in Section C, adjacent roads, proposed means of access, setbacks from property lines, elevation drawings of the proposed means of access, setbacks from property lines, elevation drawings of the proposed tower and any other structures, topography, parking and other information deemed by the City Zoning Officer to be necessary to assess compliance with this ordinance.
 - b. Legal description of the parent tract and leased parcel (if applicable).
 - c. The setback distance between the proposed tower and the nearest residential unit or residentially zoned properties, whether platted or unplatted,
 - d. The separation distance from other towers shall be shown on an updated site plan or map, The applicant shall also identify the type of construction of the existing tower(s)

and the owner/operator of the existing tower(s), if known.

- e. A landscape plan showing specific landscape materials.
 - f. Method of fencing, finished color, if applicable, and methods of camouflage and illumination.
 - g. A description of compliance with this Section and all applicable federal, state or local laws.
 - h. A notarized statement by the applicant as to whether construction of the tower will accommodate collocation of additional antennas for future users.
 - i. Identification of the entities providing the backhaul network for the tower(s) described in the application and other cellular sites owned or operated by the applicant in the municipality.
 - j. A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower.
 - k. A description of the feasible location(s) of future towers or antennas within the City of Rahway based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.
3. In the event a communication tower is abandoned or not operated for a period of one year, the same shall be removed along with all ancillary equipment, at the option of the City, at the sole expense of the operator.
4. Noise levels generated by the operation of the antenna operation at any property line shall be not more than 50 decibels.
5. Site lighting used to illuminate tower shall be oriented inward toward the tower to minimize spillage and glare onto adjacent properties.
6. The tower and antennae shall be designed in accordance with the current edition of the Building Officials and Code Administrators National Building Code.
7. Any generator located on the site shall be within an equipment structure. All fuel shall be contained in accordance with New Jersey Department of Environmental Protection requirements.
8. Site clearing shall be minimized to preclude the removal of vegetation beyond that necessary to install and maintain the facility.
9. Towers and antennas shall not cause a disruption to, or interfere with other radio,

communications, or television transmissions or equipment. If such disruption or interference is found to be caused by the operation of the towers and antennas, the subscribers and/or lessees shall modify their equipment operations to abate the deficiencies.

E. Availability of Suitable Existing Towers, Other Structures, or Alternative Technology. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the City Planning Board that no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's proposed antenna. An applicant shall submit information requested by the City Planning Board related to the availability of suitable existing towers, other structures or alternative technology. Evidence submitted to demonstrate that no existing tower, structure or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:

- (i) No existing towers or structures are located within the geographic areas which meet applicant's engineering requirements.
- (ii) Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
- (iii) Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
- (iv) The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
- (v) The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
- (vi) The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.
- (vii) The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireline system, is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

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

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

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

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on 6/13/16.

M– Giacobbe

S – Miles

YES: Brown, Cox, Farrar, Giacobbe, Miles, Mojica, Baker

ABSENT: Bresenhan, Wenson Maier

Rayna E. Harris, City Clerk

ORDINANCE

CITY OF RAHWAY, NEW JERSEY

No. O-20-16

ORDINANCE OF THE CITY OF RAHWAY AUTHORIZING THE AWARD OF A SERVICES AGREEMENT TO SUEZ WATER ENVIRONMENTAL SERVICES INC., TO PROVIDE CONTRACT OPERATOR SERVICES FOR THE CITY'S WATER FACILITIES AND INFRASTRUCTURE

WHEREAS, the City of Rahway (“City”) owns an extensive potable water treatment and supply system (collectively referred to herein as the “System”) servicing the residents of the City; and

WHEREAS, the City’s current 20 year services agreement with its current contract operator is nearing expiration; and

WHEREAS, the City undertook a competitive procurement pursuant to N.J.S.A 58:26-19 et seq., *New Jersey Water Supply Public-Private Contracting Act* (referred to herein as the “Act”), to obtain proposals from qualified firms to provide contractor operator services to the City for its System; and

WHEREAS, on August 7, 2015, the City received proposals from the following two firms:

1. Suez Water Environmental Services, Inc. (“Suez”); and
2. Middlesex Water Company

WHEREAS, the City formed an evaluation team (the “Evaluation Team”), to review the proposals received and select a firm to negotiate a new contract operator’s service agreement with; and

WHEREAS, following a review of the proposals, interviews of the respondents and the completion of an evaluation matrix, the Evaluation Team selected Suez for the negotiation of a new contract operator services agreement; and

WHEREAS, the Evaluation Team and Suez successfully completed negotiations in or about May 2016 resulting in the completion of a draft services agreement (the “Services Agreement”); and

WHEREAS, pursuant to the Act, the City made the Draft Services Agreement available for inspection for a period of two weeks prior to conducting a public hearing concerning the Services Agreement on June 13, 2016; and

WHEREAS, the City received no public comment during the public hearing and no public comment for a period of seven (7) days following the public hearing; and

WHEREAS, in accordance with the Act, the City has submitted the Services Agreement to the New Jersey Department of Environmental Protection, the Department of Community Affairs, and the Board of Public Utilities (collectively referred to herein as the “Agencies”) for review; now, therefore

BE IT ORDAINED AND ENACTED, by the City Council of the City of Rahway as follows:

1. The Mayor and the Business Administrator of the City of Rahway are hereby authorized and directed to execute the Services Agreement with Suez Water Environmental Services, Inc., to provide contractor operator services in connection with the City’s System in accordance with the Act;
2. This Ordinance shall be published by the City Clerk; and
3. This Ordinance shall take effect immediately.

Date of Introduction: July 11, 2016

Certified to be a true copy of an ordinance introduced and adopted upon first reading by the Municipal Council of the City of Rahway at the duly held Meeting on the 11th day off July, 2016.

M– Brown

S – Wenson Maier

YES: Bresenhan, Brown, Cox, Farrar, Giacobbe, Mojica, Wenson Maier, Baker

ABSENT: Miles



Rayna E. Harris, City Clerk

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-21-16

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

**BE IT ORDAINED BY THE MAYOR AND THE MUNICIPAL COUNCIL OF THE
CITY OF RAHWAY, THE FOLLOWING CHAPTER BE AMENDED AS FOLLOWS:**

401-79 Schedule XXI: Handicapped Parking

Add:

In front of 310 E. Lake Ave
North Side – From the apex of Laurel Place heading west 125’ and extending to a point 22’ west
thereof.

**ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE
PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.**

THIS ORDINANCE SHALL TAKE EFFECT UPON FINAL PASSAGE AND PUBLICATION AS PROVIDED BY LAW

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-22-16

BOND ORDINANCE

REFUNDING BOND ORDINANCE OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "CITY") PROVIDING FOR (i) THE REFUNDING OF CERTAIN OUTSTANDING GENERAL IMPROVEMENT BONDS OF THE CITY DATED APRIL 15, 2011 TO PROVIDE DEBT SERVICE SAVINGS, AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$8,500,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented (the "Local Bond Law"), the City of Rahway, in the County of Union, State of New Jersey (the "City"), had previously issued \$11,650,000 aggregate principal amount of General Improvement Bonds, Series 2011A on April 15, 2011 (the "Original Bonds"); and

WHEREAS, \$7,000,000 outstanding Original Bonds maturing in the years 2021 through 2030 (the "Refunded Bonds") are currently subject to redemption, either in whole or in part, prior to their stated maturity; and

WHEREAS, the City Council has determined that the current tax-exempt interest rate environment would enable it to realize debt service savings for the City taxpayers by refunding all or a portion of the aforesaid Refunded Bonds through the issuance of its General Obligation Refunding Bonds in an aggregate principal amount not to exceed \$8,500,000 (the "Refunding Bonds"); and

WHEREAS, the City Council now desires to adopt this Refunding Bond Ordinance (the "Refunding Bond Ordinance") authorizing the issuance of the Refunding Bonds in an aggregate principal amount not exceeding \$8,500,000, a portion of the sale proceeds of which shall be used to refund the Refunded Bonds.

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 refunding of all or a portion of the Refunded Bonds is hereby authorized.

SECTION 2. In order to refund the Refunded Bonds and to pay all related costs associated therewith, the City is hereby authorized to issue the Refunding Bonds in an aggregate principal amount not to exceed \$8,500,000, all in accordance with the requirements of N.J.S.A. 40A:2-51 et seq., and appropriate the proceeds of such Refunding Bonds to such purpose described in Section 3 hereof. Such Refunding Bonds shall be designated as “General Obligation Refunding Bonds” with such series designation as may be necessary to identify such bonds.

SECTION 3. The purpose of the issuance of the Refunding Bonds is to achieve debt service savings by refunding all or a portion of the Refunded Bonds.

SECTION 4. An aggregate amount not exceeding \$180,000 may be allocated from the aggregate principal amount of the Refunding Bonds to pay for items of expense listed and permitted under N.J.S.A. 40A:2-51(b), including, but not limited to, the aggregate allocated costs of issuance thereof, including underwriting, printing, credit enhancement or other insurance, advertising, accounting, financial, legal and other expenses in connection therewith.

SECTION 5. A certified copy of this Refunding Bond Ordinance has been filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs prior to final adoption and enactment hereof.

SECTION 6. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the City Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this Refunding Bond Ordinance and the said bonds and notes authorized by this Refunding Bond Ordinance will be within all debt limitations prescribed by the Local Bond Law.

SECTION 7. The Chief Financial Officer of the City is hereby authorized and directed to determine all matters and terms in connection with the Refunding Bonds, all in consultation with the City bond counsel and the City auditor, and the manual or facsimile signature of the Chief Financial Officer of the City upon any documents shall be conclusive as to all such determinations. The Mayor, the Chief Financial Officer of the City, the City Clerk and any other City official, officer or professional, including but not limited to, the City bond counsel and the City auditor, are each hereby authorized and directed to execute and deliver such documents as are necessary to consummate the sale and closing of the Refunding Bonds, including the refunding report required to be filed pursuant to N.J.A.C 5:30-2.5, and to take such actions or refrain from such actions as are necessary for the issuance of the Refunding Bonds, in consultation with City bond

counsel and the City auditor, and any and all actions taken heretofore with respect to the sale and issuance of the Refunding Bonds are hereby ratified and confirmed.

SECTION 8. This Refunding Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: July 11, 2016**

**RAYNA E. HARRIS,
Clerk of the City of Rahway**

**ADOPTED ON SECOND READING
DATED: August 8, 2016**

**RAYNA E. HARRIS,
Clerk of the City of Rahway**

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2016

**SAMSON STEINMAN,
Mayor**