

AGENDA
PRE-MEETING CONFERENCE / REGULAR MEETING
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
November 10, 2016 ~ 7:00 P.M.

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

1. Roll Call

Open Public Meeting Statement:

This Meeting was called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was sent to the Union County Local Source 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.

2. Pledge of Allegiance
Invocation

3. **PRE-MEETING CONFERENCE - REVIEW AGENDA**

4. Hearings of Citizens on Items on Agenda, Except Ordinances on Second Reading.
(Five Minutes per Speaker)

5. Approval of Minutes

October 4, 2016	7 p.m.	Pre-Meeting conference
October 11, 2016	7 p.m.	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**

10. ORDINANCES - First Reading

O-30-16	BOND ORDINANCE PROVIDING FOR VARIOUS 2016 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$952,380 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF
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11. RESOLUTIONS

AR-199-16	RESOLUTION AUTHORIZING THE SALE OF ABANDONED MOTOR VEHICLES BY THE POLICE DEPARTMENT IN ACCORDANCE WITH N.J.S.A. 39:10A-1
AR-200-16	RESOLUTION AUTHORIZING THE RELEASE OF RIGHT OF WAY CONSTRUCTION BOND FEE TO K. WNEK, LLC (KONRAD WNEK) FOR PERMIT #07-15-089 DATED 07/15/2015 FOR SIDEWALK, DRIVEWAY APRON, CURB AT 577 WEST LAKE AVENUE, BLOCK 111, LOT 4.02
AR-201-16	RESOLUTION AUTHORIZING THE REFUND OF PERMIT FEE TO SOLARCITY CORPORATION FOR CANCELLED/ABANDON PERMIT

AR-202-16	RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF WATER BILLS – NOVEMBER 2016
AR-203-16	RESOLUTION AUTHORIZING REFUND OF PARKS & RECREATION FEES –NOVEMBER 2016
AR-204-16	RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR MODIFICATIONS TO THE EXISTING WATER SUPPLY SYSTEM NECESSARY TO CONSTRUCT ADA RAMPS ON ROUTE 27
AR-205-16	RESOLUTION AUTHORIZING THE RETURN OF PERFORMANCE BOND AND FINAL PAYMENT FOR THE “NEW INTERCONNECTION PIPELINE” TO PM CONSTRUCTION CORP.
AR-206-16	RESOLUTION AWARDDING A CONTRACT FOR THE SUPPLY AND INSTALLATION WINDOW TINTING AT THE RAHWAY RECREATION CENTER
AR-207-16	RESOLUTION AUTHORIZING THE EXECUTION OF AN ACCESS AGREEMENT WITH MIG CONSULTING, LLC. FOR THE INSTALLATION OF GROUNDWATER MONITORING WELLS ON MUNICIPAL PROPERTY
AR-208-16	RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RAHWAY AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF RAHWAY TO UNDERTAKE PRELIMINARY INVESTIGATIONS OF CERTAIN PROPERTIES LOCATED ON ST. GEORGES AVENUE, NEW BRUNSWICK AVENUE, WEST GRAND AVENUE, ELIZABETH AVENUE AND REGINA AVENUE IN THE CITY OF RAHWAY, NEW JERSEY, TO DETERMINE IF SUCH PROPERTIES QUALIFY AS A CONDEMNATION REDEVELOPMENT AREA PURSUANT TO LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.
AR-209-16	RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY TO ACCEPT OJJDP FY16 COMPREHENSIVE ANTI-GANG STRATEGIES AND PROGRAMS GRANT FOR RAHWAY COMPREHENSIVE ANTIGANG PROGRAM
AR-210-16	RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY TO ACCEPT A STATE OF NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS NON-FEDERAL COST SHARE PROGRAM GRANT
AR-211-16	CAPITAL BUDGET AMENDMENT
AR-212-16	RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE CITY OF RAHWAY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) Drug-free Communities- \$125,000.00
AR-213-16	RESOLUTION AWARDDING A CONTRACT TO MICHAEL J. COSTELLO CO. INC FOR DOCUMENT MANAGEMENT AND MAINTENANCE
AR-214-16	RESOLUTION AWARDDING A CONTRACT TO MICHAEL L. RICCA FOR LOCAL AREA NETWORK (LAN) MANAGEMENT
AR-215-16	RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF A MEMBER TO THE RAHWAY REDEVELOPMENT AGENCY (Joseph D. Gibilisco)

12. ORDINANCES - Second Reading

O-27-16	AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING - 1075 Bryant Street (Brown/Bresenhan)
O-28-16	BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER TREATMENT PLANT, BY AND IN THE CITY OF RAHWAY, IN THE

	COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$400,000 IN BONDS OR NOTES TO FINANCE THE COST THEREOF (Baker/Brown)
O-29-16	AN ORDINANCE AMENDING THE AMENDED AND SUPPLEMENTED CENTRAL BUSINESS DISTRICT REDEVELOPMENT PLAN (Brown/Miles)

13. MISCELLANEOUS

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

15. Council Comment
(Three Minutes per Member)

16. ADJOURNMENT

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-30-16

BOND ORDINANCE PROVIDING FOR VARIOUS 2016 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$952,380 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements 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, there is hereby appropriated the aggregate sum of \$1,000,000, said sum being inclusive of the sum of \$47,620 as the aggregate amount of down payments for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”). The down payments are now available by virtue of a provision or provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,000,000 appropriation not provided for by application hereunder of said down payments, negotiable bonds of the City are hereby authorized to be issued in the aggregate principal amount of \$952,380 pursuant to the Local

Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in an aggregate principal amount not exceeding \$952,380 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the

financing of which said obligations are to be issued include, but are not limited to:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
<p>(i) <u>Roadway Improvements</u> - Improvements To Portions Of Various Roadways Throughout The City Including, But Not Limited To, Falesky Drive; Pierpoint Street At West Hazelwood Avenue; Monroe Street At Essex Street; Monroe Street At Montgomery Street; 452-457 Cornell Street; Various Madison Avenue Locations; 727 Hamilton Street; 454 Hamilton Street; West Milton Avenue; Rayhon Terrace And Desisto Drive; 2126 Allen Street; 1420 Campbell Street; Southeast Corner Of Maple Avenue And Jefferson Street; Thirza Place; Bryant Street At Coddington Street; And Jefferson Avenue;</p>	\$155,441	\$148,039	\$7,402	10 years
<p>(ii) <u>Sidewalk Improvements</u> - Improvements To Various Sidewalks Throughout The City Including, But Not Limited To, The Repairing And/Or Installation Of Curbs And Driveway Aprons, Installation Of Curb Ramps, Resetting Utility Castings, Drainage Work, Landscaping And Aesthetic Improvements;</p>	\$207,254	\$197,384	\$9,870	10 years
<p>(ii) <u>Public Works</u> – Acquisition Of Non-Passenger Vehicles Including, But Not Limited To, A Solid Waste Truck And Two (2) Dump Trucks; And</p>	\$538,860	\$513,200	\$25,660	10 years
<p>(iii) <u>Other City Equipment and Improvements</u> – Various Capital Improvements And The Acquisition And Installation, As Applicable, Of Equipment</p>	\$98,445	\$93,757	\$4,688	7.89 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
For, By Or In The City Including, But Not Limited To, 911 Radio Station Improvements At Fire Headquarters; Fire Truck Improvements Including, But Not Limited To, Painting Of Fire Truck And Acquisition And Installation, As Applicable, Of Rescue Equipment; Improvements To Restrooms At City Hall Police Station; And Acquisition And Installation, As Applicable, Of Furnishings For The Court Room.				
TOTALS	\$1,000,000	\$952,380	\$47,620	

(b) The above improvements or purposes set forth in Section 3(a) are more particularly described in documents on file in the Office of the City Clerk and shall also include all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans therefor on file in the office of the City Clerk and available for public inspection and hereby approved;

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is \$952,380.

(d) The aggregate estimated cost of said purposes is \$1,000,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the aggregate amount of \$952,380, is the aggregate down payments for said purposes in the amount of \$47,620.

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.

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 (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8(a). 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 capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, is on file in the Office of the City Clerk and is available for public inspection.

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 average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 6.61 years.

(c) 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, 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 \$952,380 and the said

obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes herein before 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 obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City hereby declares the intent of the City to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The City Chief Financial Officer 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 and to execute such disclosure document on behalf of the City. The City Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange

Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The City covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this bond ordinance.

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

James E. Baker, Council President

ADOPTED ON FIRST READING DATED: November 10, 2016	ADOPTED ON SECOND READING DATED: December 12, 2016
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RAYNA E. HARRIS, Clerk of the City of Rahway

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

SAMSON STEINMAN, Mayor of the City of Rahway

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-199-16

RESOLUTION AUTHORIZING THE SALE OF ABANDONED MOTOR VEHICLES BY THE POLICE DEPARTMENT IN ACCORDANCE WITH N.J.S.A. 39:10A-1

WHEREAS, N.J.S.A. 39:10A-1 ET SEQ. permits the Police Department or its representatives to auction or sell vehicles, at a public place, after notice of the sale, shall have been published, in a newspaper circulating in the municipality of Rahway and after such local government shall have authorized by resolution such sale; and

WHEREAS, the Police Department has accumulated Fourteen (**14**) such vehicles;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, NJ, that the Police department is authorized to conduct a sale or auction at which time vehicles that have been accumulated by the Police Department's towing representatives may be sold and the monies realized from such sale be used to cover storage costs, shall be turned over to the City of Rahway Municipal Treasurer;

BE IT FURTHER RESOLVED, that the Police Department shall conduct this sale on Wednesday December 7th, **2016**. All vehicles may be viewed one hour prior to auction time at the following times and places:

10:30 AM	R & K Towing 149 Regina Ave, Rahway NJ 07065 00 Chr Vin#2C3HD36J6YH397752 98 VE Vin#3VWTD81H1WM107937 09 Nis Vin#1N6AA06C89N305102 09 Mit Vin#JA3AU26U48U045556 97 Mit Vin#4A3AX35G7VE140549
12:00 PM	B & L Towing 2500 Blair Rd Carteret, NJ 07008 96 Isuz Vin#4S2CM58V2T4336409
1:00 PM	Murphy's Garage 2053 RT1 North Rahway, NJ 07065 05 Suz MC Vin#JS1GR7JA952105937 01 Hon Vin#2HKRL18681H006761
1:45 PM	Quality Auto 811 New Brunswick Ave Rahway, NJ 07065 00 Acu Vin#19UUA5662YA000824 97 Chevy Vin#1G1JC5246V7226897 03 Toy Vin#1NXBR32E53Z090179 97 Lin Vin#1LNLM92V4VY684599

2:30 PM

SFT 813 Rahway Ave Woodbridge, NJ 09095
96 Chevy Vin#2G1WL52M5T1185792

3:30 PM

Rahway Auto 41 W. Inman Ave Rahway, NJ 07065
16 Hyu Vin#KMHTC6AD1GU253030

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-200-16

**RESOLUTION AUTHORIZING THE RELEASE OF RIGHT OF WAY
CONSTRUCTION BOND FEE TO K. WNEK, LLC (KONRAD WNEK) FOR PERMIT
#07-15-089 DATED 07/15/2015 FOR SIDEWALK, DRIVEWAY APRON,
CURB AT 577 WEST LAKE AVENUE, BLOCK 111, LOT 4.02**

WHEREAS, Bohler Engineering has requested release of Right of Way Construction Bond to K. WNEK, LLC (Konrad Wnek) for Permit #07-15-089 dated 07/15/2015 for sidewalk, driveway apron and curb at 577 West Lake Avenue, per Bohler letter dated October 19, 2016 (attached);

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway that the Treasurer is Authorized and directed to refund \$4,200.00 from the Right of Way Construction account #07-206-55-700-259 for bond posted on Right of Way Construction permit #07-15-089; Dated 07/15/2015 for sidewalk, driveway apron and curb at 577 West Lake Avenue.

BE IT FURTHER RESOLVED, the refund of \$4,200.00 from the Right of Way Construction Permit Account #07-206-55-700-259 is sent to Konrad Wnek, 16 BC Foxwood Drive, Morris Plains, New Jersey 07950.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-201-16

RESOLUTION AUTHORIZING THE REFUND OF PERMIT FEE TO SOLARCITY CORPORATION FOR CANCELLED/ABANDON PERMIT

WHEREAS the following addressee has cancelled/abandon permit for solar panel installation at 1622 Park Street, Block 335, Lot 16, Permit# 16/0368; and

WHEREAS the amount of the permit to be refunded is \$319.00;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway that the Treasurer is Authorized and directed to refund \$319.00 paid by SolarCity Corporation for a cancelled permit for 1622 Part Street, Rahway, New Jersey 07065; and

BE IT FURTHER RESOLVED, the refund of \$319.00 to SolarCity Corporation, Benjamin Strasser, Permit Coordinator; 9 Corporate Drive, Cranbury, New Jersey 08612.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-202-16

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF WATER BILLS – NOVEMBER 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:

<u>ACCOUNT NUMBER</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT OF REFUND</u>
3830153626	Cheryl Dunfee 22 Delaware Crossing Somerset, NJ 08873 S/A: 263 Terrace Street	\$37.17
2400500000	Rhonda Harris 1386 Bryant Street Rahway, NJ 07065	\$394.05

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-203-16

RESOLUTION AUTHORIZING REFUND OF PARKS & RECREATION FEES – NOVEMBER 2016

NOW, THEREFORE, **BE IT 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:

<u>Name/Company</u>	<u>Address</u>	<u>Amount</u>	<u>Event</u>
Theodora Tsistinas	734 W. Scott Avenue	\$ 65.00	Hunterdon Hills Trip
Total		\$ 65.00	

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

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-204-16

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR MODIFICATIONS TO THE EXISTING WATER SUPPLY SYSTEM NECESSARY TO CONSTRUCT ADA RAMPS ON ROUTE 27

WHEREAS, the State of New Jersey, Department of Transportation, proposes to construct ADA compliant ramps on Route 27 from Evergreen Street to the Elizabeth River in Edison and Woodbridge Townships, and the City of Rahway; and

WHEREAS, the construction of the ADA ramps within the City of Rahway may require the construction of new, and/or the protection, relocation and/or adjustment of the existing Rahway water supply system; and

WHEREAS, the New Jersey Department of Transportation will coordinate with the City's representative(s) regarding these modifications and bear all costs associated with the agreed upon changes; and

WHEREAS, the City of Rahway and the State of New Jersey, Department of Transportation, have agreed to enter the attached agreement for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Rahway, County of Union that the Mayor and Municipal Clerk are hereby authorized to execute an Agreement between the City of Rahway and the State of New Jersey Department of Transportation which is annexed hereto and made a part hereof.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-205-16

**RESOLUTION AUTHORIZING THE RETURN OF PERFORMANCE BOND AND FINAL
PAYMENT FOR THE “NEW INTERCONNECTION PIPELINE” TO PM CONSTRUCTION
CORP.**

WHEREAS, attached is a Bohler Engineering letter dated October 28, 2016 with regard to the release of PM Construction Corp.’s Performance Bond and Final Payment; and

WHEREAS, the Maintenance Bond has been reviewed and approved by the City Attorney’s Office and Bohler Engineering recommends the release of PM Construction Corp.’s Performance Bond and final payment in the amount of \$42,347.56 and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway that the Treasurer is authorized and directed to return the Performance Bond and final payment in the amount of \$42,347.56 posted for the New Interconnection Pipeline Project by PM Construction Corp.; and

BE IT FURTHER RESOLVED, the return of the Performance Bond and final payment in the amount of \$42,347.56 be returned to PM Construction Corp., 1310 Central Avenue, Hillside, NJ 07205.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-206-16

RESOLUTION AWARDING A CONTRACT FOR THE SUPPLY AND INSTALLATION WINDOW TINTING AT THE RAHWAY RECREATION CENTER.

WHEREAS, the Rahway Recreation Center is in need of window tinting to reduce the impacts of ultraviolet light and heat from the sun within the gymnasium; and

WHEREAS, quotations were solicited and SJ Window Tinting of 520 Fellowship Road, Suite B-205, Mount Laurel, NJ 08054 provided the lowest responsive quotation cost of \$16,500.00 to supply and install window tinting.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, supply and installation of window tinting for the Rahway Recreation Center gymnasium from SJ Window Tinting, 520 Fellowship Road, Suite B-205, Mt. Laurel, NJ 08054, is hereby authorized for an amount not to exceed \$16,500.00.

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 Account Numbers 01-201-28-370-014 (\$4,000), 01-201-26-300-118 (\$4,000) and 04-215-55-660-106 (\$8,500) to cover the cost of this contract.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-207-16

RESOLUTION AUTHORIZING THE EXECUTION OF AN ACCESS AGREEMENT WITH MIG CONSULTING, LLC. FOR THE INSTALLATION OF GROUNDWATER MONITORING WELLS ON MUNICIPAL PROPERTY

WHEREAS, MIG Consulting, LLC. (“MIG”), a licensed site remediation professional, requires access to real property owned by the City located at the intersection of Hancock Street and Lawrence Street and otherwise designated as Lot 1 in Block 333 on the official tax map of the City for the purposes temporarily installing groundwater monitoring wells; and

WHEREAS, the City desires to enter into the attached Access Agreement with MIG for this purpose;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway, County of Union, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to execute the Access Agreement with MIG which is annexed hereto and made a part hereof.

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 10th day of November, 2016.

Samson Steinman, Mayor

Rayna E. Harris, Municipal Clerk

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-208-16

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RAHWAY AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF RAHWAY TO UNDERTAKE PRELIMINARY INVESTIGATIONS OF CERTAIN PROPERTIES LOCATED ON ST. GEORGES AVENUE, NEW BRUNSWICK AVENUE, WEST GRAND AVENUE, ELIZABETH AVENUE AND REGINA AVENUE IN THE CITY OF RAHWAY, NEW JERSEY, TO DETERMINE IF SUCH PROPERTIES QUALIFY AS A CONDEMNATION REDEVELOPMENT AREA PURSUANT TO LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the City Council of the City of Rahway (the “City”) has identified certain properties located on St. Georges Avenue, New Brunswick Avenue, West Grand Avenue, Elizabeth Avenue and Regina Avenue, more specifically identified as follows:

- 1) Shopping center on St. Georges Avenue, portions of which are located in City of Rahway and Township of Woodbridge: Block 276, Lot 7;
- 2) Dri-Print Foils property and adjoining properties on New Brunswick Avenue: Block 276, Lots 1, 2, 3, 4, 5, 6 & 10;
- 3) Swim n’ Play property on Regina Avenue: Block 281, Lot 1;
- 4) Elizabeth Avenue from Rahway River to Grand Avenue: Block 160, Lots 11, 12, 13, 14 & 15;
- 5) Elizabeth Avenue from West Scott Avenue to City of Linden border: Block 229, Lots 1 through 9 and Block 273, Lots 1, 2 & 3; and
- 6) West Grand Avenue between St. Georges Avenue to Irving Street on both sides of street:

Block 164, Lots 15-24, 26.01 and 27-29;
Block 165, Lots 2, 12, 13.01, 13.02, 14-20;
Block 202, Lots 1-11, 13.01 & 26;
Block 203, Lots 6-9;
Block 204, Lots 15-32;
Block 205, Lots 1-14 & 27;
Block 215, Lots 1-8; and
Block 216, Lots 1-5

and all as delineated on the tax maps attached hereto and made part of this resolution, to be considered for designation as an area “in need of redevelopment”, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, before an area may be declared in need of redevelopment, it is legally necessary for the adoption of a resolution by the governing body authorizing the Planning Board to undertake a preliminary investigation to determine whether the properties identified herein meet the criteria for designation as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, the City hereby states that any redevelopment area determination shall authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area"); and

WHEREAS, the City authorizes and directs that the City Planning Board undertake preliminary investigations pursuant to N.J.S.A. 40A:12A-6 to determine whether the following properties may be deemed a “Condemnation Redevelopment Area”:

- 1) Shopping center on St. Georges Avenue, portions of which are located in City of Rahway and Township of Woodbridge: Block 276, Lot 7;
- 2) Dri-Print Foils property and adjoining properties on New Brunswick Avenue: Block 276, Lots 1, 2, 3, 4, 5, 6 & 10;
- 3) Swim n’ Play property on Regina Avenue: Block 281, Lot 1;
- 4) Elizabeth Avenue from Rahway River to Grand Avenue: Block 160, Lots 11, 12, 13, 14 & 15;
- 5) Elizabeth Avenue from West Scott Avenue to City of Linden border: Block 229, Lots 1 through 9 and Block 273, Lots 1, 2 & 3;
- 6) West Grand Avenue between St. Georges Avenue to Irving Street on both sides of street:

Block 164, Lots 15-24, 26.01 and 27-29;
Block 165, Lots 2, 12, 13.01, 13.02, 14-20;
Block 202, Lots 1-11, 13.01 & 26;
Block 203, Lots 6-9;
Block 204, Lots 15-32;
Block 205, Lots 1-14 & 27;
Block 215, Lots 1-8; and
Block 216, Lots 1-5.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Rahway that the City Planning Board is hereby directed and authorized to undertake preliminary investigations to determine whether the following properties:

- 1) Shopping center on St. Georges Avenue, portions of which are located in City of Rahway and Township of Woodbridge: Block 276, Lot 7;
- 2) Dri-Print Foils property and adjoining properties on New Brunswick Avenue: Block 276, Lots 1, 2, 3, 4, 5, 6 & 10;
- 3) Swim n' Play property on Regina Avenue: Block 281, Lot 1;
- 4) Elizabeth Avenue from Rahway River to Grand Avenue: Block 160, Lots 11, 12, 13, 14 & 15;
- 5) Elizabeth Avenue from West Scott Avenue to City of Linden border: Block 229, Lots 1 through 9 and Block 273, Lots 1, 2 & 3; and
- 6) West Grand Avenue between St. Georges Avenue to Irving Street on both sides of street:

Block 164, Lots 15-24, 26.01 and 27-29;
Block 165, Lots 2, 12, 13.01, 13.02, 14-20;
Block 202, Lots 1-11, 13.01 & 26;
Block 203, Lots 6-9;
Block 204, Lots 15-32;
Block 205, Lots 1-14 & 27;
Block 215, Lots 1-8; and
Block 216, Lots 1-5

as delineated on the tax maps attached hereto and made part of this resolution, should be determined a Condemnation Redevelopment Area pursuant to Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq.

BE IT FURTHER RESOLVED by the City Council that it hereby states that any redevelopment area determination shall authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area, including the power of eminent domain, known as a Condemnation Redevelopment Area and that the City shall comply with the requirements set forth in N.J.S.A. 40A:12-6.

BE IT FURTHER RESOLVED that the Planning Board is authorized to undertake individual preliminary investigations for each of the six (6) areas identified above and have each presented separately or together at a public hearing required pursuant to N.J.S.A. 40A:12-6, as determined at the discretion of the Planning Board and its legal counsel.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-209-16

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY TO ACCEPT OJJDP FY16 COMPREHENSIVE ANTI-GANG STRATEGIES AND PROGRAMS GRANT FOR RAHWAY COMPREHENSIVE ANTIGANG PROGRAM

WHEREAS, the City of Rahway has applied for U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention “FY16 Comprehensive Anti-Gang Strategies and Programs” grant for the project entitled “Rahway Comprehensive Antigang Program” (PROJECT NUMBER 2016-JV-FX-0003); and

WHEREAS, The fiscal year 2016 Comprehensive Antigang Strategies and Programs solicitation provides funding for localities to enhance coordination of federal, state, and local resources in support of community partnerships implementing the following antigang programs: primary prevention, secondary prevention, gang intervention, and targeted gang enforcement; and

WHEREAS, the City of Rahway was notified by the Office of Juvenile Justice and Delinquency Prevention that the City has been awarded grant in the amount of \$234,191.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Rahway resolves that Mayor Samson Steinman or his designee is hereby authorized to execute a grant agreement with the State for a grant in an amount \$234,191; and

BE IT FURTHER RESOLVED that the grantee agrees to comply with all applicable federal, State and municipal laws, rules and regulations in its performance pursuant to the agreement.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-210-16

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL OF THE CITY OF RAHWAY TO ACCEPT A STATE OF NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS NON-FEDERAL COST SHARE PROGRAM GRANT

WHEREAS, the City of Rahway desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$185,531.00 to carry out a project to -----; and

NOW, THEREFORE, BE IT RESOLVED,

1. that the Municipal Council of the City of Rahway does hereby authorize the application for such a grant; and,
2. recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Rahway and the New Jersey Department of Community Affairs.

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

Samson Steinman, Mayor	
Cherron Rountree, Business Administrator	
Rayna E. Harris, City Clerk	

CERTIFICATION:

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 City Council at its meeting held on the 10th day of November, 2016.

Rayna E. Harris, City Clerk

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-211-16

CAPITAL BUDGET AMENDMENT

WHEREAS, the local budget for the Calendar Year 2016 has been adopted; and

WHEREAS, it is desired to amend the adopted capital budget section for CY 2016;

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

FROM											
CAPITAL BUDGET (CURRENT YEAR ACTION)		2016									
			Planned funding Services for Current Year								
	Estimated	Amount	2016	Capital				To be			
	Total	Reserved	Budget	Improvement	Capital		Debt	Funded in			
Project	Cost	Prior Years	Appropriation	Fund	Surplus	Grants	Authorized	Future			
								Years			
DPW Vehicles & Equipment	500,000			25,000			475,000				
Various Fire Improvements	50,000			2,500			47,500				
Annual Sidewalk Improvements	150,000			7,500			142,500				
				-			-				
				-			-				
				-			-				
				-			-				
				-			-				
				-			-				
Total All Projects	700,000	-	-	35,000	-	-	665,000	-			

FROM											
Anticipated Project Schedule and Funding Requirements											
			Funding Amounts per Year								
	Estimated	Estimated									
	Total	Completion	SFY	SFY	SFY	SFY	SFY	SFY			
Project	Cost	Time	2016	2017	2018	2019	2020	2021			
DPW Vehicles & Equipment	500,000		500,000		-	-	-	-			
Various Fire Improvements	50,000		50,000								
Annual Sidewalk Improvements	150,000		150,000								
Total All Projects	700,000	-	700,000	-	-	-	-	-			
FROM											
Summary of Anticipated Funding Sourced and Amounts											
				Planned funding Services for Current Year					2016		
	Estimated			Capital							
	Total	Current	Future	Improvement	Capital			Self			
Project	Cost	Year	Years	Fund	Surplus	Grants	General	Liquidating	Assessment	School	
DPW Vehicles & Equipment	500,000			25,000			475,000				
Various Fire Improvements	50,000			2,500			47,500				
Annual Sidewalk Improvements	150,000			7,500			142,500				

Total All Projects	700,000	-	-	35,000	-	-	665,000	-	-	-
TO										
CAPITAL BUDGET (CURRENT YEAR ACTION)		2016								
			Planned funding Services for Current Year							
	Estimated	Amount	2016	Capital				To be		
	Total	Reserved	Budget	Improvement	Capital		Debt	Funded in		
Project	Cost	Prior Years	Appropriation	Fund	Surplus	Grants	Authorized	Future		
								Years		
0-30-16 Various Capital Improvements	1,000,000			47,620		-	952,380			
				-			-			
				-			-			
Total All Projects	1,000,000	-	-	47,620	-	-	952,380	-		
TO										
Anticipated Project Schedule and Funding Requirements										
			Funding Amounts per Year							
	Estimated	Estimated								
	Total	Completion	SFY	SFY	SFY	SFY	SFY	SFY		
Project	Cost	Time	2016	2017	2018	2019	2020	2021		

0-30-16 Various Capital Improvements	1,000,000		1,000,000								
	-		-								
	-		-								
Total All Projects	1,000,000	-	1,000,000	-	-	-	-	-			
TO											
Summary of Anticipated Funding Sourced and Amounts											
				Planned funding Services for Current Year				2016			
	Estimated			Capital							
	Total	Current	Future	Improvement	Capital			Self			
Project	Cost	Year	Years	Fund	Surplus	Grants	General	Liquidating	Assessment	School	
0-30-16 Various Capital Improvements	1,000,000			47,620		-	952,380				
	-			-				-			
				-			-				
Total All Projects	1,000,000	-	-	47,620	-	-	952,380	-	-	-	

BE IT FURTHER RESOLVED that three copies of this resolution be filed forthwith in the office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the Adopted Capital Budget by the Municipal Council on the 10th day of November, 2016.

Rayna E. Harris, City Clerk

Approved on _____
Director, Division of Local Government Services

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-212-16

**RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN
THE BUDGET OF THE CITY OF RAHWAY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159,
P.L. 1948)**

Drug-free Communities- \$125,000.00

WHEREAS, N.J.S.A. 40A: 4-87 provided that the Director of Local Government Services may approve the insertion of any special item of revenue in the Budget of any County or Municipality when such items shall have been made available by law and the amount thereof was undetermined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts.

Section 1.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the City of Rahway hereby requests that the Director of Local Government Services to approve the insertion of an item of revenue in the Calendar Year 2016 Budget, in the sum of \$125,000.00 which is now available as revenue from:

PUBLIC & PRIVATE REVENUES – OFFSET BY APPROPRIATIONS:

Union County Municipal Alliance- \$125,000.00

Section 2.

BE IT FURTHER RESOLVED that a like sum of \$125,000.00 and the same is hereby appropriated under the caption of General Appropriations Excluded from “CAPS”

PUBLIC & PRIVATE PROGRAMS – OFFSET BY REVENUES:

Union County Municipal Alliance- \$125,000.00

Section 3.

BE IT FURTHER RESOLVED that the above is a result of a grant from the
Office of National Drug Control Policy

BE IT FURTHER RESOLVED that three (3) certified copies of this resolution be submitted to the Director of the Division of Local Government Services.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-213-16

RESOLUTION AWARDING A CONTRACT TO MICHAEL J. COSTELLO CO. INC FOR DOCUMENT MANAGEMENT AND MAINTENANCE

WHEREAS, the City of Rahway has a need to manage its inventory of copiers and related equipment; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the acquisition will be below the \$40,000 bid threshold; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Michael J. Costello Co. Inc., has submitted a proposal on January 1, 2017 indicating he will provide the management and maintenance of said equipment of the City of Rahway for the annual fee of \$17,100; and

WHEREAS, Michael J. Costello Co. Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that Michael J. Costello Co, Inc. has not made any reportable contributions to a political or candidate committee in the City of Rahway in the previous one year, and that the contract will prohibit Michael J. Costello Co, Inc., from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds in the Current Fund, to cover the cost of this contract – N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway that the Mayor and City Clerk are hereby authorized to enter into a contract with Michael J. Costello Co, Inc., 22 Garvey Drive, Monroe Township. NJ 08831, as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-214-16

RESOLUTION AWARDING A CONTRACT TO MICHAEL L. RICCA FOR LOCAL AREA NETWORK (LAN) MANAGEMENT

WHEREAS, the City of Rahway has a need to manage its local area network (LAN) and related information technologies; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the acquisition will be below the \$40,000 bid threshold; and

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Michael L. Ricca has submitted a proposal on January 1, 2017 indicating he will provide the local area network maintenance and management for the annual fee of \$33,000; and

WHEREAS, Michael L. Ricca has completed and submitted a Business Entity Disclosure Certification which certifies that Michael L. Ricca has not made any reportable contributions to a political or candidate committee in the City of Rahway in the previous one year, and that the contract will prohibit Michael L. Ricca from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified that there are sufficient funds in the Current Fund, to cover the cost of this contract – N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway that the Mayor and City Clerk are hereby authorized to enter into a contract with Michael L. Ricca 1078 Madison Avenue, Rahway, NJ 07065, as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

RESOLUTION

CITY OF RAHWAY, NEW JERSEY

No. AR-215-16

RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF A MEMBER TO THE RAHWAY REDEVELOPMENT AGENCY (Joseph D. Gibilisco)

WHEREAS, pursuant to the Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., Mayor Samson Steinman has appointed Joseph D. Gibilisco as a member of the Rahway Redevelopment Agency to fill an unexpired term of Egon Behrmann;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Rahway, that the Mayor's appointment of Joseph D. Gibilisco of 275 West Milton Avenue, Rahway; to the Rahway Redevelopment Agency, to fill an unexpired term expiring December 31, 2020, is hereby confirmed.

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-27-16

**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 1075 Bryant Street
East Side- Beginning at a point 68 feet north of the intersection of Maple Ave and extending to a
point 22 feet north 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-28-16

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER TREATMENT PLANT, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$400,000 IN BONDS OR NOTES 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 to be undertaken by the City of Rahway, in the County of Union, State of New Jersey (the “City”) as general improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$400,000 from the Water Utility of the City. Pursuant to the provisions of N.J.S.A. 40A:2-7 and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the “Local Bond Law”), no down payment is required.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the said \$400,000 appropriation, negotiable bonds of the Water Utility of the City are hereby authorized to be issued in the aggregate principal amount not exceeding \$400,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in an aggregate principal amount not exceeding \$400,000

are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are improvements to the City's water treatment plant including, but not limited to, granular activated carbon filter improvements; roof improvements and/or replacement at the pump station; and improvements and/or replacement of existing sodium hypochlorite tanks; and shall also include, but are not limited to, the following, as applicable: engineering and design work, preparation of plans and specifications, permits, bid documents, inspection and contract administration; and also all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto, and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the City and available for public inspection and hereby approved..

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$400,000.

(c) The aggregate estimated cost of said improvements or purposes is \$400,000.

SECTION 4. In the event the United States of America, the State of New Jersey, the County of Union or a private entity make a contribution or grant in aid, as applicable, to the City for the improvements or 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, as applicable, by the United

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

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at 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 capital budget of the Water Utility of the City is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs of the Water Utility as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the Office of the Clerk and will be available for public inspection.

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

(a) The 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, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 7.74 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 \$400,000 and the

said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$90,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 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 obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The City hereby declares the intent of the City to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The City Chief Financial Officer 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 and to execute such disclosure document on behalf of the City. The City Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission

(the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The City covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

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

James E. Baker, Council President

ADOPTED ON FIRST READING
DATED: October 11, 2016

RAYNA E. HARRIS,
Clerk of the City of Rahway

ADOPTED ON SECOND READING
DATED: November 10, 2016

RAYNA E. HARRIS,
Clerk of the City of Rahway

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

SAMSON STEINMAN,
Mayor

ORDINANCE
CITY OF RAHWAY, NEW JERSEY

No. O-29-16

BUSINESS DISTRICT REDEVELOPMENT PLAN

WHEREAS, in January 1998, the Central Business District Redevelopment Plan was adopted by the City of Rahway, New Jersey, which was thereafter amended numerous times (collectively, the “**Original Redevelopment Plan**”); and

WHEREAS, in _____, the City Council adopted Ordinance No. O-_____-____, which served to replace the Original Redevelopment Plan with the “Amended and Supplemented Central Business District Redevelopment Plan” prepared by Phillips, Preiss, Grygiel LLC and dated January 2013 (“**Amended Redevelopment Plan**”); and

WHEREAS, the City, through discussions with the redeveloper of Block 305, Lot 5.02 (“**Property**”) located within the Central Business District, has determined it to be in the City’s best interests to further amend the Amended Redevelopment Plan in order to effectuate redevelopment on those Property (“**Proposed Amendments**”); and

WHEREAS, concurrently with the introduction of this Ordinance, the City Council shall adopt a Resolution referring the Proposed Amendments to the Planning Board in Accordance with N.J.S.A. 40A:12A-7(e) for its review and recommendation concerning the Proposed Amendments; and

WHEREAS, prior to final adoption of this Ordinance, the City Council shall have reviewed the Planning Board’s report and recommendation that this Ordinance be adopted in its original form; and

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

Section 1. Section C on page 10 of the Amended and Supplemented Central Business District Redevelopment Plan is hereby deleted in its entirety and replaced with the following:

C. Development Regulations for Subdistrict M-X

1. Development in subdistrict M-X, not otherwise described in this plan, shall be regulated in accordance with the standards of the M-X Mixed-Use Zone set forth in Section 421-22 of the City of Rahway Zoning Ordinance, except that mid-rise apartments shall be a permitted use on Block 305, Lots 5.02 and 5.04 in accordance with the following requirements:

Lot 5.02

- a. Minimum lot area: 150,000 square feet.
- b. Minimum lot width: 200 feet.
- c. Minimum lot depth: 200 feet.
- d. Minimum building and parking setbacks: 5 feet (excludes driveways to parking under building).
- e. Maximum residential density: 65 units per acre.
- f. Maximum building heights: five stories, including one parking level/80 feet.
- g. Maximum building coverage: 60 percent.
- h. Maximum lot coverage¹: 90 percent.
- i. Minimum number of parking spaces: one and a quarter (1.25) spaces per dwelling unit.

Lot 5.04

- a. Minimum lot area: 30,000 square feet.
- b. Minimum lot width: 75 feet.
- c. Minimum lot depth: 200 feet.
- d. Minimum building and parking setbacks: none required.
- e. Maximum residential density: 143 units per acre.
- f. Maximum building heights: five stories, including one parking level/80 feet.
- g. Maximum building coverage: 100 percent.
- h. Minimum number of parking spaces: one space per dwelling unit.

Section 2. This Ordinance may be renumbered for codification purposes.

¹ Landscaped courtyards shall be considered pervious surface.

Section 3. All ordinances of the City of Rahway, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

Section 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 5. This Ordinance shall take effect upon final passage 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 Regular Meeting on the 11th day of October, 2016.



Rayna E. Harris, City Clerk

Motion: Brown

Second: Miles

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

ABSENT: None