A Regular Meeting of the Piscataway Township Council was held on August 28, 2018 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by the Council President, Chanelle McCullum, at 7:30 pm.

Mrs. McCullum made the following Statement, in compliance with the Open Public Meetings Act:

Adequate notice of this meeting has been provided as required under Chapter 231, P.L. 1975, specifying the time, date, location and, to the extent known, the agenda by posting a copy of the notice on the Municipal Building, Municipal Court and the two Municipal Library Bulletin Boards, providing a copy to the official newspapers of the Township and by filing a copy in the office of the Township Clerk in accordance with a certification by the Clerk which will be entered in the minutes.

On roll call, there were present: Messrs. Lombardi, Shah, Uhrin and McCullum. Mrs. McCullum led the salute to the flag.

There were no comments from Administration and Council.

Mrs. McCullum opened the meeting to the Public for comments regarding the Consent Agenda Items.

There being no comments, this portion of the meeting was closed to the public.

Mayor Wahler read the following PROCLAMATION:

CONGRATULATIONS NICHOLAS BUCHEK & LOUIS FOWLKES

WHEREAS, Nicholas and Louis have been part of the Piscataway Chiefs Special Olympics Team since 2014; and

WHEREAS, both had successfully competed in regional and state level competitions qualifying them to attend tryout camp; and

WHEREAS, after a rigorous selection process they earned spots on the New Jersey team; and

WHEREAS, the 2018 Special Olympics USA Games were held in Seattle, Washington with more than 4000 athletes representing all fifty states and the District of Columbia; and

WHEREAS, fourteen sports were offered and Nicholas and Louis competed in four events each; and

WHEREAS, Nicholas placed first in the 4x100 Meter Relay and was among the top finishers in the 100 Meter, 200 Meter and Mini Javelin events; and

WHEREAS, Louis placed first in both the 4x100 Meter Relay and Mini Javelin and was one of the top finishers in the 1500 meter and 800 meter races; and

NOW, THEREFORE, I, Brian C. Wahler, Mayor of the Township of Piscataway, County of Middlesex, State of New Jersey take great pride in the accomplishments of these two Special Olympic athletes and recognize and honor the achievements of NICHOLAS BUCHEK & LOUIS FOWLKES and wish them success in all of their future endeavors.

The Clerk read the following ORDINANCE: ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER VII (7), TRAFFIC, SECTION 25, VEHICLES OVER DESIGNATED WEIGHT EXCLUDED FROM CERTAIN STREETS AND CHAPTER VII (7), TRAFFIC, SECTION 14, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Shah, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: AN ORDINANCE ENTITLED: ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER VII (7), TRAFFIC, SECTION 25, VEHICLES OVER DESIGNATED WEIGHT EXCLUDED FROM CERTAIN STREETS AND CHAPTER VII (7), TRAFFIC, SECTION 14, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY was adopted on the first reading on August 14, 2018 and was published in the official newspaper on August 18, 2018. This Ordinance requires an amendment; amended to further modify the limitations for Parking on Van Winkle Place. The council hereby authorizes this amendment. A second reading and public hearing will be held at 7:30 p.m., prevailing time at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey on the 4th day of September, 2018.

BE IT FURTHER RESOLVED that a copy of this Ordinance shall be published and posted in at least two public places within the Township prior to the day of the second reading and final passage, and a copy of this Ordinance shall be made available at the Office of the Township Clerk for any interested member of the public.

On roll call vote, Messrs. Lombardi, Shah, Uhrin and McCullum answered yes.

The Clerk read for FIRST READING the following ORDINANCE AN ORDINANCE VACATING ALL OF THE RIGHT, TITLE AND INTEREST OF THE TOWNSHIP OF PISCATAWAY IN THE ENTIRETY OF GALLAGHER PLACE AND A PORTION OF ROTHE PLACE FROM 150 FEET SOUTH OF TURNER PLACE TO THE SOUTHERN BORDERS OF BLOCK 5201, LOT 8 AND 20.01 ON THE TOWNSHIP OF PISCATAWAY TAX MAP.

RESOLUTION offered by Mr. Uhrin, seconded by Mrs. Lombardi, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: AN ORDINANCE ENTITLED: AN ORDINANCE VACATING ALL OF THE RIGHT, TITLE AND INTEREST OF THE TOWNSHIP OF PISCATAWAY IN THE ENTIRETY OF GALLAGHER PLACE AND A PORTION OF ROTHE PLACE FROM 150 FEET SOUTH OF TURNER PLACE TO THE SOUTHERN BORDERS OF BLOCK 5201, LOT 8 AND 20.01 ON THE TOWNSHIP OF PISCATAWAY TAX MAP be and is hereby adopted on the first reading, that it be published in the official newspaper, and that a second reading and public hearing be held at 7:30 p.m., prevailing time at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey on the 18th day of September, 2018.

BE IT FURTHER RESOLVED that a copy of this Ordinance shall be posted in at least two public places within the Township prior to the day of the second reading and final passage, and a copy of this Ordinance shall be made available at the Office of the Township Clerk for any interested member of the public.

On roll call vote, Messrs. Lombardi, Shah, Uhrin and McCullum answered yes.

The Clerk read for FIRST READING the following ORDINANCE AMENDING CHAPTER XIV (14) BUILDING OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.

RESOLUTION offered by Mr. Uhrin, seconded by Mrs. Lombardi, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: AN ORDINANCE ENTITLED: ORDINANCE AMENDING CHAPTER XIV (14) BUILDING OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY be and is hereby adopted on the first reading, that it be published in the official newspaper, and that a second reading and public hearing be held at 7:30 p.m., prevailing time at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey on the 18th day of September, 2018.

BE IT FURTHER RESOLVED that a copy of this Ordinance shall be posted in at least two public places within the Township prior to the day of the second reading and final passage, and a copy of this Ordinance shall be made available at the Office of the Township Clerk for any interested member of the public.

On roll call vote, Messrs. Lombardi, Shah, Uhrin and McCullum answered yes.

RESOLUTION #18-370

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Uhrin, BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Revised General Ordinances of the Township of Piscataway permit the adoption of Resolutions, Motions or Proclamations by the Township Council of the Township of Piscataway as part of the Consent Agenda, upon certain conditions; and WHEREAS, each of the following Resolutions, Motions or Proclamations to be presented before the Township Council at its August 28, 2018 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. PROCLAMATION Congratulating Nicholas Buchek and Louis Fowlkes.
- RESOLUTION Authorizing Professional Architectural Services Piscataway Community/Cultural Arts Center – Netta Architects – Not to Exceed \$490,000.00
- c. RESOLUTION Authorizing Refund of Overpayment of Taxes Various Blocks and Lots.
- RESOLUTION Authorizing Professional Construction Management Services – Piscataway Community and Cultural Arts Center – Cumming Construction Management Inc. – Not to Exceed \$627,252.00.
- e. RESOLUTION Authorizing Return of Maintenance Surety Bond Shaan Realty, LLC – Block 5301, Lot 1 – 450 Stelton Road.
- f. RESOLUTION Authorizing Award of Contract for Predictive Crime Analysis Software – PredPol, Inc. – Not to Exceed \$36,680.00.
- g. RESOLUTION Authorizing Final Change Order #1 and Project Acceptance – Poplar Road Improvements – Brennan Brothers Contracting, LLC – Decrease of \$84,518.48.
- h. RESOLUTION Authorizing Chapter 159 Multi-Jurisdictional Gang/Gun/Narcotic Task Force Grant \$6,000.00.
- i. RESOLUTION Authorizing Refund of Sterling Village Security Deposit:
 - Helen Stamile Apt. 136
- j. RESOLUTION Authorizing Return of Engineering and Inspection Fees:
 - Geopeak Energy, LLC Block 4701, Lot 8.03 81 New England Avenue
 - FW Webb Block 6703, Lot 6.08 180 Centennial Avenue
 - Garden State Sealing Block 5701, Lot 1.04 1660 South Washington Avenue.
- k. RESOLUTION Authorizing Shared Services Agreement with the Township of Edison for Brotherhood Street.
- I. RESOLUTION Authorizing Affordability Assistance Program Grant 7000 Avalon Way, Unit 7108.
- m. RESOLUTION Declaring the Property at 475 Stelton Road Block 5204, Lot 1.03 Meets the Criteria to be Determined an Area in Need of Redevelopment.
- n. RESOLUTION Authorizing Tax Appeal Settlement:
 - Rutgers, The State University Block 11601, Lots 2.03 and 2.03 C0002 891 River Road and River Road.
 - Peapack-Gladstone Bank Block 5401, Lot 8.01 1038 Stelton Road.
- RESOLUTION Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – MARM Holdings LLC – Block 5302, Lot 1.03 – 561 Stelton Road.
- p. RESOLUTION Authorizing Professional Township Planner Services
 Redevelopment Projects 475 Stelton Road CME Associates Not to Exceed \$7,500.00.
- q. RESOLUTION Authorizing Refund of Picnic Fee Robert Ring.
- RESOLUTION Authorizing Change Order #1 DPW Vehicle Canopy – CME Associates – Not to Exceed \$20,000.00.
- RESOLUTION Authorizing Award of Contract Under State Contract for Janitorial Supplies – W.W Grainger Inc. – Not to Exceed \$30,000.00.
- t. RESOLUTION Authorizing Final Change Order #3 and Project Acceptance - 2016 Road Program, Curbs, Sidewalks, ADA Ramps – MSky Construction Corp. – Decrease of \$75,369.44.

- RESOLUTION Authorizing Professional Appraisal Services Sterling DiSanto & Associates - Block 11302, Lot 2.03 – Not to Exceed \$1,200.00.
- RESOLUTION Authorizing Contract for Roof Repairs at JFK Library and Main Municipal Building – CP Rankin Inc Roof Management & Contracting – Not to Exceed \$29,710.00.
- w. RESOLUTION Authorizing Contract for Concrete Slabs for Italian American Building and Brine Making Room at DPW Yard – Fraige Construction Inc – Not to Exceed \$19,800.00.
- RESOLUTION Authorizing Final Change Order #4 and Project Acceptance - Brookside Road Reconstruction – Jads Construction -Decrease of \$265,166.20.
- y. MOTION Accept Report of Clerk's Account July 2018.
- z. MOTION Accept Report of the Division of Revenue July 2018.
- aa. MOTION Receive and Enter into Minutes Disbursements for the Month of July 2018.
- bb. MOTION Accept Minutes Regular and Agenda Meetings March 27, 2018.
- cc. MOTION Accept Minutes Regular and Agenda Meetings April 10, 2018.
- dd. MOTION Accept Minutes Regular and Agenda Meetings April 17, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that each of the above-listed Resolutions, Motions or Proclamations be approved and adopted by the Township Council, with the same legal effect as through each was read in its entirety at the August 28, 2018 Regular meeting and adopted by separate vote.

On roll call vote, Messrs. Lombardi, Shah, Uhrin and McCullum answered yes.

The following are the Resolutions, typed in full, which were adopted by the foregoing consent agenda resolution:

RESOLUTION #18-371

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Township of Piscataway (the "Township") requires Professional Architectural Services in regard to the Piscataway Community/Cultural Arts Center (the "Project"); and

WHEREAS, Netta Architects has submitted a proposal dated July 24, 2018, for Architectural Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$490,000.00; and

WHEREAS, Netta Architects, was previously qualified under the Fair and Open Process to provide Architectural Services – Special Projects by the Township of Piscataway for 2018; and

WHEREAS, there is funding available pursuant to certification # R-2018-0089;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Netta Architects to provide Architectural Services – Special Projects in regard to the Piscataway Community/Cultural Arts Center, with such services not to exceed \$490,000.00 in cost.

RESOLUTION #18-372

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the following party overpaid taxes and is requesting a refund of this amount

as listed below.

BLOCK	LOT	QUAL	NAME CROWE	YEAR	AMOUNT	REASON PD BY TTL
6308	3		9 WYCKOFF AVE	2018	2993.86	CO & BANK
8802	2.01		AHMED 62 BROTHERHOOD ST	2018	4354.58	PD BY TTL CO & BANK

			GOSWAMI			PD BY TTL
8801	427	C0332	332 LUNAR RD	2018	1560.43	CO & BANK
						PD BY
						BANK &
			AQUINO			NEW
7205	14		5125 EMERSON ST	2018	1893.35	OWNER
			LABASKA			PD BY TTL
1218	2		458 WILLIAM ST	2018	1001.95	CO & BANK
			MARTINEZ			
			242 HIDDEN WOODS			PD BY TTL
1503	110	C0242	СТ	2018	1427.34	CO & BANK

THEREFORE, BE IT RESOLVED that the Treasurer is hereby authorized to refund the overpayment of taxes to the record owner and the Collector is hereby authorized to adjust the records accordingly.

RESOLUTION #18-373

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Township of Piscataway (the "Township") requires professional Construction Management Services in regard to the Community and Cultural Arts Center (the "Project"); and

WHEREAS, Cumming Construction Management, Inc., Cranford, NJ, has submitted a proposal dated August 24, 2018, for Construction Management Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$627,252.00; and

WHEREAS, Cumming Construction Management, Inc. was previously qualified under the Fair and Open Process to provide professional services for Construction Management Services by the Township of Piscataway for 2018; and

WHEREAS, there is funding available pursuant to certification # R-2018-0088;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Cumming Construction Management, Inc., Cranford, NJ, to provide professional Construction Management Services in regard to the Community and Cultural Arts Center at the rates set forth in said Proposal, with such services not to exceed \$627,252.00 in cost.

RESOLUTION #18-374

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, Shaan Realty, LLC, Madison, NJ requests the release of a Maintenance Surety Bond in the amount of \$49,153.00, posted on April 20, 2015 with the Township of Piscataway for Planning Board Application # 11-ZB-12/13V regarding improvements for Block 5301 (F/Blk 490), Lot 1 (450 Stelton Road); and

WHEREAS, pursuant to a Request for Release of Funds dated May 2, 2018 and a letter from the Township Supervisor of Engineering dated July 23, 2018, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that the two-year maintenance period has expired, and all improvements have been satisfactorily installed, and recommends return of said Maintenance Surety Bond; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to return a Maintenance Surety Bond in the amount of \$49,153.00 to Shaan Realty, LLC, Madison, NJ, regarding Planning Board Application # 11-ZB-12/13V.

RESOLUTION #18-375

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. permits local contracting units to increase their bid threshold up to \$40,000.00; and

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

WHEREAS, the Township of Piscataway (the "Township") increased their bid threshold and, pursuant to N.J.A.C. 5:34-5, et seq., appointed a Qualified Purchasing

Agent who was granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, the Township Chief of Police has advised that the Township is in need of Predictive Crime Analysis Software, and received quotes in regard to same; and

WHEREAS, pursuant to a Recommendation to Award dated August 1, 2018, a copy of which is attached hereto and made a part hereof, the Township Chief of Police has reviewed the quotes and recommends awarding a contract for Predictive Crime Analysis Software to PredPol, Inc., Santa Cruz, CA, who is the lowest qualifying bidder, in the amount not to exceed \$36,680.00; and

WHEREAS, funds are available pursuant to certification # R-2018-0093;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to enter into a contract for Predictive Crime Analysis Software with PredPol, Inc., Santa Cruz, CA, who is the lowest qualifying bidder, in the amount not to exceed \$36,680.00.

RESOLUTION #18-376

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Brennan Brothers Contracting, LLC, Old Bridge, NJ for the Poplar Road Improvements (the "Project") in an amount not to exceed \$705,878.15; and

WHEREAS, certain field adjustments and minor quantity changes in regard to the Project have resulted in a decrease in the total cost of the work being performed for said Project; and

WHEREAS, there was no prior increase or decrease to this project; and

WHEREAS, this change order would represent a \$84,518.48 decrease in the total amount of the Project from the original contract amount for a final total not to exceed \$621,359.67, an 11.97% decrease; and

WHEREAS, <u>N.J.A.C.</u> 5:30-11.3 authorizes a municipality to approve change orders up to twenty (20) percent of the originally awarded contract; and

WHEREAS, the Mayor and Township Professionals have reviewed the Contract Change Order, a copy of which is attached hereto and made a part hereof, and recommend approving same; and

WHEREAS, pursuant to a memorandum dated August 7, 2018 from the Township Supervisor of Engineering, said Supervisor of Engineering recommends acceptance of the Project and release of the retainage in the amount of \$12,427.19 to Brennan Brothers Contracting, LLC conditioned upon Brennan Brothers Contracting, LLC posting a one (1) year maintenance bond in the amount of \$62,135.97; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the Project with Brennan Brothers Contracting, LLC, Old Bridge, NJ from \$705,878.15 to a final total not to exceed \$621,359.67 and execute the enclosed Contract Change Order in the amount of \$84,518.48, subject to all bid specifications and contract documents; and

BE IT FURTHER RESOLVED that the Poplar Road Improvements Project is hereby accepted, and that the retainage, in the amount of \$12,427.19 be released to Brennan Brothers Contracting, LLC, conditioned upon Brennan Brothers Contracting, LLC posting a one (1) year maintenance bond in the amount of \$62,135.97 with the Township of Piscataway.

RESOLUTION #18-377

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION – N.J.S. 40A:4-87

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the Township of Piscataway has received notice of an award of \$6,000.00 from the County Of Middlesex Prosecutor's Office and wishes to amend its Calendar Year 2018 Budget to include this amount as revenue, and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Piscataway in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year Calendar Year 2018 in the sum of \$ 6,000.00, which is now available from County Of Middlesex Prosecutor's Office, in the amount of \$6,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$ 6,000.00 is hereby appropriated under the caption; "Multi-Jurisdictional Gang/Gun/Narcotic Task Force Grant"; and

BE IT FURTHER RESOLVED, that the above is the result of funds from "Multi-Jurisdictional Gang/Gun/Narcotic Task Force Grant in the amount of \$ 6,000.00.

RESOLUTION #18-378

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, Helen Stamile requests the return of a Security Deposit in the amount of \$913.90, posted with the Township of Piscataway for Apartment 136 at Sterling Village; and

WHEREAS, Helen Stamile moved out five (5) days early, entitling her to a credit in the amount of \$151.45; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release said Security Deposit to Helen Stamile in the amount of \$920.06 and release the above referenced credit in the amount of \$151.45 to Helen Stamile for moving out five (5) days early in regard to Apartment 136 at Sterling Village.

RESOLUTION #18-379

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, GeoPeak Energy, LLC, Somerset, NJ has completed their project on Block 4701, Lot 3.03 (81 New England Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated July 5, 2018 and a Memorandum from the Township Supervisor of Engineering dated July 9, 2018, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$4,576.58 be returned to GeoPeak Energy, LLC, Somerset, NJ; and

WHEREAS, F.W. Webb Company, Bedford, MA has completed their project on Block 6703, Lot 6.08 (180 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated July 5, 2018 and a Memorandum from the Township Supervisor of Engineering dated July 17, 2018, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$14,327.27 be returned to F.W. Webb Company, Bedford, MA; and

WHEREAS, Garden State Sealing, Tinton Falls, NJ has completed their project on Block 5701, Lot 1.04 (1660 South Washington Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated July 16, 2018 and a Memorandum from the Township Supervisor of Engineering dated July 17, 2018, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$15,602.15 be returned to Garden State Sealing, Tinton Falls, NJ; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to return unexpended engineering and inspection fee funds to GeoPeak Energy, LLC in the amount of \$4,576.58, regarding Block 4701, Lot 3.03, to F.W. Webb

Company in the amount of \$14,327.27, regarding Block 6703, Lot 6.08, and to Garden State Sealing in the amount of \$15,602.15, regarding Block 5701, Lot 1.04.

RESOLUTION #18-380

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Township of Piscataway (the "Township") is a municipal corporation of the State of New Jersey authorized under the Uniform Shared Services and Consolidation Act, <u>N.J.S.A</u>. 40A:65-1 *et seq.* ("Shared Services Act") to enter into an agreement with other local units to provide jointly (or through the agency of one of them on behalf of the other) any service which such entity may legally perform for itself; and

WHEREAS, in the spirit of mutual cooperation, the Township has the capacity to and seeks to provide, for the Township of Edison ("Edison") (together with the Township, the "Parties"), legal services with regard to the acquisition of certain parcels of land and/or obtaining temporary construction, permanent roadway and/or permanent drainage easements and, if necessary, fee simple interests in properties designated on the Piscataway tax maps as Block 8705, Lot 23; Block 8705, Lot 22.01; Block 20-A, Lot 6; Block 20-B, Lot 1-A; Block 20-B, Lot 1-B; and Block 8802, Lot 4, that are situated on Brotherhood Street in both the Township and Edison, for the purpose of promoting efficiency in government and reducing each Party's respective expenses for such services; and

WHEREAS, in furtherance, the Parties desire to enter a Shared Services Agreement ("Agreement"), in substantially the same form attached hereto as Exhibit A, pursuant to the Shared Services Act to establish the terms of the Township's provision of legal services to the Township for a term beginning August 22, 2018 and ending August 22, 2019; and

WHEREAS, the Township Council of the Township further authorizes James F. Clarkin III, Esq., counsel for the Township, to negotiate the purchase of and, if necessary, fee simple interests, temporary construction, permanent roadway and/or permanent drainage easements of properties on the Piscataway tax maps designated as Block 8705, Lot 23; Block 8705, Lot 22.01; Block 20-A, Lot 6; Block 20-B, Lot 1-A; Block 20-B, Lot 1-B; and Block 8802, Lot 4, that are situated on Brotherhood Street in both the Township and Edison, to be paid by Edison on either a full or pro-rata basis, as more fully described in the Memorandum of James F. Clarkin III, Esq., dated August 8, 2016 and attached to the Agreement; and

WHEREAS, the Agreement provides for and shall be subject to cancellation by either Party upon thirty (30) days' written notice; and

WHEREAS, the Township Council of the Township seeks to hereby authorize the Township's entering into and execution of the Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway as follows:

Section 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.

Section 2. The form of the agreement is hereby approved, and the Township Council hereby authorizes and directs the Mayor, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement on behalf of the Township. A copy of this resolution and the executed Agreement shall be maintained on file with the Township Clerk

Section 3. The Township Clerk is hereby instructed to forward a copy of the signed Agreement to the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, for informational purposes, in accordance with the Shared Services Act.

Section 4. This resolution shall take effect immediately.

RESOLUTION #18-381

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, AVALON PISCATAWAY LLC / AVALON PISCATAWAY rents property located at <u>7000 Avalon Way, Unit No. 7108</u>, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

WHEREAS, the tenant has requested an Affordability Assistance Program grant from the Affordable Housing Trust Fund; and

WHEREAS, the Township is willing to extend a grant to the tenant in the amount of \$471.00, which covers half of the first month's rent; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit located at 7000 Avalon Way, Unit No. 7108, Piscataway, NJ.

RESOLUTION #18-382

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, on August 22, 2017, The Township Council of the Township of Piscataway adopted Resolution #17-372, authorizing the Piscataway Township Planning Board to undertaken an investigation to determine whether certain specified property designated as Lot 1.03 in Block 5204 on the Piscataway Township Tax Map, and located at 475 Stelton Road (hereinafter the "Study Area"), should be delineated as a Condemnation Area in Need of Redevelopment, pursuant to the "Local Redevelopment and Housing Law", N.J.S.A. 40A:12A-1, *et seq.*; and

WHEREAS, the Piscataway Township Planning Board conducted a preliminary investigation of the Study Area pursuant to N.J.S.A. 40A:12A-5 and 12A-6, as more particularly set forth in a report prepared by CME Associates, the Planning Board's consultant, dated July 26, 2018 (the "Report"); and

WHEREAS, the Piscataway Township Planning Board made a determination by its Resolution adopted on August 8, 2018, that the Study Area be designated as a condemnation area in need of redevelopment pursuant to the recommendation contained in the Report, said designation being made pursuant to the aforesaid statute; and

WHEREAS, the Township Council of the Township of Piscataway has reviewed the Report and the Piscataway Township Planning Board Resolution adopted and memorialized on August 8, 2018;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that the Piscataway Township Council concurs with the determination of the Piscataway Township Planning Board, that the Property identified within the Study Area referred to in the aforesaid Planning Board Resolution and the Report, is a condemnation area in need of redevelopment as defined in N.J.S.A. 40A:12A-1 *et seq.* and independently makes that determination of its own accord because the Study Area evidences conditions which fall within certain criteria set forth in the Local Redevelopment and Housing Law, specifically, criteria (a) (b) (d) and (h); and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Study Area shall continue to be reviewed as a condemnation redevelopment area and the Council hereby directs the Piscataway Township Planning Board to prepare a redevelopment plan for the Study Area.

RESOLUTION #18-383

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Township of Piscataway and the following property owners have been engaged in litigation on tax appeals which are pending in the Tax Court; and

WHEREAS, the Municipal Tax Assessor and Special Counsel for Tax Appeals have recommended the following settlements regarding the assessed values of the properties for the specified years:

Rutgers, The State University

Block 11601, Lot 2.03 C0002 891 River Rd & River Rd

	2017 Assessment	2017 Proposed Settlement
Land Improvements Total	2,580,000 0 2,580,000	EXEMPT

Peapack-Gladstone Bank

Block 5401, Lot 8.01 1038 Stelton Rd

	2016-2017 Assessment	2016 Proposed Settlement	2017 Proposed Assessment	2018 Proposed Assessment
Land	1,080,000		1,080,000	1,080,000
Improvements	426,000	<u>WITHDRAW</u>	276,000	320,000
Total	1,506,000		1,356,000	1,400,000

WHEREAS, the Assistant Township Attorney, as well as appraisal consultants retained by the Township, have advised that the proposed settlements fully conform with the public interest; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the settlements of the above Tax Appeals, as recommended by the Municipal Tax Assessor and Special Counsel for Tax Appeals and as specifically set forth above, be and the same is hereby approved; and

BE IT FURTHER RESOLVED that upon notification from the Assessor that the above settlement has been approved by the Tax Court, the Tax Collector and other appropriate officials, the appropriate municipal officials be and are hereby authorized to issue the refunds and/or credits corresponding to the aforementioned assessed values.

RESOLUTION #18-384

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the following party overpaid taxes and is requesting a refund_for the amount as listed below.

BLOCK	(LOT	QUAL	. NAME	YEAR	AMOUNT	REASON
5202	1 00			2015	10500.00	Tax Court
5302	1.03		MARM Holdings LLC	2015	10566.66	Judgment
			561 Stelton Rd			Freeze Act
-	TUEDED		DE IT DECOLVED that th	o Tropour	or in horohy	(outborized to

THEREFORE, BE IT RESOLVED that the Treasurer is hereby authorized to refund the overpayment of taxes to the record owner and the Collector is hereby authorized to adjust the records accordingly.

RESOLUTION #18-385

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, Robert Ring requests the return of his Picnic Fee in the amount of \$375.00, posted with the Township of Piscataway on March 28, 2018 for a picnic at Riverside Park on August 25, 2018; and

WHEREAS, the Piscataway Township Department of Recreation recommended the return of said Picnic Fee as the picnic was cancelled; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to return the Picnic Fee, receipt #144875, in the amount of \$375.00, to Robert Ring.

RESOLUTION #18-386

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, CME Associates, Parlin, NJ, was awarded a contract on April 28, 2015, for Professional Construction Management Services regarding the DPW Canopy Project (the "Project"), in the amount not to exceed \$97,982.00; and

WHEREAS, additional Professional Construction Management Services in the amount of \$20,000.00 are required for the Project that were not included in the original

scope of work outlined by the Township of Piscataway and not anticipated in CME Associates proposal to the Township for the Project; and

WHEREAS, <u>N.J.A.C.</u> 5:30-11.6 authorizes the Township to approve change orders for professional services for a project; and

WHEREAS, the Mayor and the Township Professionals have reviewed the Amended Proposal from CME Associates, a copy of which is attached hereto and made a part hereof, and recommended approving same; and

WHEREAS, there is funding available pursuant to certification # R-2015-29-01;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the appropriate municipal officials be and are hereby authorized to execute a Contract Amendment with CME Associates for additional Professional Construction Management Services for the DPW Canopy Project in the amount of \$20,000.00, for a final total contract amount not to exceed \$117,982.00.

RESOLUTION #18-387

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Township Director of Public Works has advised that the Township is in need of Janitorial Supplies for the Municipal Complex; and

WHEREAS, pursuant to a Recommendation to Award Contract dated August 17, 2018, a copy of which is attached hereto and made a part hereof, said Director of Public Works recommends awarding a contract for the purchase of Janitorial Supplies for the Municipal Complex through State Contract #M0002, Contract #79875 to W.W. Grainger, Inc., South Plainfield, NJ, in the amount not to exceed \$30,000.00; and

WHEREAS, funds are available pursuant to certification # R-2018-0094;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to award a contract for the purchase of Janitorial Supplies for the Municipal Complex to W.W. Grainger, Inc., South Plainfield, NJ through State Contract #M0002, Contract #79875, in the amount not to exceed \$30,000.00.

RESOLUTION #18-388

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to M-Sky Construction Corp., Lake Hopatcong, NJ, for the 2016 Road Program, Curbs, Sidewalks, ADA Ramps Project (the "Project") in the amount of \$1,154,896.50; and

WHEREAS, work has been completed on the Project for the Township of Piscataway, however, due to certain field adjustments and minor quantity changes the total cost of the Project was less than that anticipated by the Township of Piscataway and M-Sky Construction Corp.'s proposal to the Township for the Project; and

WHEREAS, there was a previous change order of a \$115,425.00 increase in the Project, for a final total not to exceed \$1,270,321.50, a 9.99% increase; and

WHEREAS, there was an additional previous change order of a \$114,300.00 increase in the Project, for a final total not to exceed \$1,384,621.50, a 7.38% increase; and

WHEREAS, there was a \$75,369.06 decrease in the total amount of the Project at the completion of the Project, a 5.44% decrease; and

WHEREAS, the total change in work amounts to a \$154,355.56 increase from the original contract amount for a final total of \$1,309.252.06, a 13.36% increase; and

WHEREAS, <u>N.J.A.C.</u> 5:30-11.3 authorizes a municipality to approve change orders up to twenty (20) percent of the originally awarded contract; and

WHEREAS, the Mayor and Township Professionals have reviewed the Contract Change Order, a copy of which is attached hereto and made a part hereof, and recommend approving same; and

WHEREAS, pursuant to a memorandum dated August 20, 2018 from the Township Supervisor of Engineering, said Supervisor of Engineering recommends acceptance of the Project and release of the retainage in the amount of \$26,185.02 conditioned upon M-Sky Construction Corp. posting a one (1) year maintenance bond in the amount of \$130,925.21; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby

authorized to amend the total contract amount with M-Sky Construction Corp., Lake Hopatcong, NJ from \$1,384,621.50 to \$1,309,252.06 and execute the enclosed Contract Change Order in the amount of -\$75,369.44 increase due to decreased work required for the School Street Reconstruction – Phase I, subject to all bid specifications and contract documents; and

BE IT FURTHER RESOLVED, that the School Street Reconstruction – Phase I project is hereby accepted, and that the retainage in the amount of \$26,185.02 be released to M-Sky Construction Corp, conditioned upon M-Sky Construction Corp. posting a one (1) year maintenance bond in the amount of \$130,925.21 with the Township of Piscataway.

RESOLUTION #18-389

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Township of Piscataway requires Professional Appraisal Services for Highland Avenue between Witherspoon Street & Orchard Street, located at Block 11302, Part of Lot 2.03 (the "Project"); and

WHEREAS, Sterling DiSanto & Associates, Somerville, NJ, has submitted a proposal dated August 20, 2018, for Professional Appraisal Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$1,200.00; and

WHEREAS, Sterling DiSanto & Associates was previously qualified under the Fair and Open Process to provide professional services for Professional Appraisal Services - Various Projects by the Township of Piscataway for 2018; and

WHEREAS, there is funding available pursuant to certification # R-2018-0099;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Sterling DiSanto & Associates, Somerville, NJ, to provide Professional Appraisal Services for Highland Avenue between Witherspoon Street & Orchard Street, located at Block 11302, Part of Lot 2.03, at the rates set forth in said Proposal, with such services not to exceed \$1,200.00 in cost.

RESOLUTION #18-390

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. permits local contracting units to increase their bid threshold up to \$40,000.00; and

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

WHEREAS, the Township of Piscataway (the "Township") increased their bid threshold and, pursuant to N.J.A.C. 5:34-5, et seq., appointed a Qualified Purchasing Agent who was granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of Roof Repairs at the JFK Library and the Main Municipal Building (the "Project"), and received quotes in regard to said Project; and

WHEREAS, pursuant to a Recommendation to Award Contract dated August 21, 2018, a copy of which is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract to CP Rankin Inc. Roof Management & Contracting, Chalfont, PA for the Roof Repairs at the JFK Library and the Main Municipal Building, in the amount not to exceed \$29,710.00; and

WHEREAS, funds are available pursuant to certification # R-2018-97;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to award a contract to CP Rankin Inc. Roof Management & Contracting, Chalfont, PA for the Roof Repairs at the JFK Library and the Main Municipal Building, in the amount not to exceed \$29,710.00.

RESOLUTION #18-391

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. permits local contracting units to increase their bid threshold up to \$40,000.00; and

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

WHEREAS, the Township of Piscataway (the "Township") increased their bid threshold and, pursuant to N.J.A.C. 5:34-5, et seq., appointed a Qualified Purchasing Agent who was granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of Concrete Slabs for the Italian-American Building & the Brine Making Room at the DPW Yard (the "Project"), and received quotes in regard to said Project; and

WHEREAS, pursuant to a Recommendation to Award Contract dated August 22, 2018, a copy of which is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract for Concrete Slabs for the Italian-American Building & the Brine Making Room at the DPW Yard to Fraige Construction, LLC, Watchung, NJ, in the amount not to exceed \$19,800.00; and

WHEREAS, funds are available pursuant to certification # R-2018-0098;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to award a contract for Concrete Slabs for the Italian-American Building & the Brine Making Room at the DPW Yard to Fraige Construction, LLC, Watchung, NJ, in the amount not to exceed \$19,800.00.

RESOLUTION #18-392

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Jads Construction, South River, NJ, for the 2017 Brookside Road Improvements Project ("Project") in the amount of \$1,373,827.50; and

WHEREAS, work has been completed on the Project for the Township of Piscataway, however, due to certain field adjustments and minor quantity changes the total cost of the Project was less than that anticipated by the Township of Piscataway and Jads Construction's proposal to the Township for the Project; and

WHEREAS, there was a previous change order of a \$6,400.00 increase in the project for a previous total of \$1,380,227.50, a 0.47% increase; and

WHEREAS, there was an additional previous change order of a \$22,500.00 increase in the project for a previous total of \$1,402,727.50, a 1.63% increase; and

WHEREAS, a third change order is required which amounts to a \$74,103.13 increase in the project for a previous total of \$1,476,830.63, a 5.3% increase; and

WHEREAS, there was a \$265,166.20 decrease in the total amount of the Project at the completion of the Project, a 17.96% decrease; and

WHEREAS, the total change in work amounts to a \$162,163.07 decrease from the original contract amount for a final total not to exceed \$1,211,664.43, a total increase of 7.5%; and

WHEREAS, <u>N.J.A.C.</u> 5:30-11.3 authorizes a municipality to approve change orders up to twenty (20) percent of the originally awarded contract; and

WHEREAS, the Mayor and Township Professionals have reviewed the Contract Change Order, a copy of which is attached hereto and made a part hereof, and recommend approving same; and

WHEREAS, pursuant to a memorandum dated August 22, 2018 from the Township Supervisor of Engineering, said Supervisor of Engineering recommends acceptance of the Project and release of the retainage in the amount of \$24,233.29 conditioned upon Jads Construction, South, River, NJ posting a one (1) year maintenance bond in the amount of \$121,166.44; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount with Jads Construction, South, River, NJ from \$1,476,830.63 to \$1,211,664.43 and execute the enclosed Contract Change Order in the amount of -\$265,166.20 due to decreased work required for the 2017 Brookside Road Improvements Project, subject to all bid specifications and contract documents; and

BE IT FURTHER RESOLVED, that the 2017 Brookside Road Improvements Project is hereby accepted, and that the retainage in the amount of \$24,233.29 be released Jads Construction, conditioned upon Jads Construction posting a one (1) year maintenance bond in the amount of \$121,166.44 with the Township of Piscataway.

The following are the Disbursements for the Month of July 2018.

CONTINUED ON NEXT PAGE

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Michele Lombardi congratulated the two young men who participated in the Special Olympics, they've made Piscataway very proud.

Chanelle McCullum wished the Piscataway children going back to school a safe and healthy year. She wished those going to college, like her son, a happy and healthy year.

Michele Lombardi reminded everyone to be aware of the buses and increased traffic when school starts.

OPEN TO PUBLIC:

Anthony Weil, 2250 Plainfield Avenue North, asked for an update about 800 Centennial Avenue.

Timothy Dacey responded the progress is continuing at the site; working on the footings, sifting material and working on the berm. Mr. Dacey explained everything being done is according to their approval plan.

Cora Epps, 11 Water Street, asked about when they are going to do Water Street.

Mayor Wahler advised it will be done next year.

Ms. Epps asked about the ditch that runs behind the Water Street residents, when will it be cleaned.

Mayor Wahler advised DPW cleans out the drainage easement twice a year since someone, probably one of her neighbors, is dumping there. Mayor Wahler will have someone from DPW look at it.

Curtis Grubbs, 1750 West 3rd Street, commented about the property between Alexander Park and the creek, the grass at the road is four feet high.

Mayor Wahler advised there is an issue with dumping in the creek area, they are working on getting the property marked off so the residents know where their property lines end.

Mr. Grubbs asked about having the parking lot lines painted at Hazelwood Park.

Mayor Wahler advised it will be looked at for the Fall. He advised there are plans to overseed the park at the end of September.

David Akins, 39 Ambrose Valley Lane, noticed item g, final change order of \$84,000.00 decrease and item s of \$75,000.00 decrease, when is Ambrose Valley Lane going to be done.

Mayor Wahler advised he has Mr. Gaspari looking to see if it is a possibility.

Mr. Akins asked about item q, what are they changing now.

Mr. Dacey responded this is closing out the project, they did a lot more work than they were contracted to do.

Mr. Akins asked about item k, what services are being shared.

Mayor Wahler responded this has to do with the reconstruction of Brotherhood Street since it is located in both Piscataway and Edison.

There being no further comments, this portion of the meeting was closed to the public.

There being no further business to come before the council, the meeting was adjourned at 7:55 pm on motion of Mrs. Lombardi, seconded by Mr. Shah, carried unanimously.

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Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

Chanelle McCullum Council President