

SEPTEMBER 18, 2018

A Regular Meeting of the Piscataway Township Council was held on September 18, 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. Bullard, Cahill, 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.

The Clerk read for SECOND 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

WHEREAS, the Governing Body of the Township of Piscataway has been requested to vacate all of the right, title and interest of the Township in all of Gallagher Place and a portion of Rothe Place; and

WHEREAS, Rothe Place is to be vacated from 150 feet South of Turner Place to the Southern borders of Block 5201, Lot 8 and Lot 20.01, a total area of 14,414.3 square feet, as indicated on the Existing Conditions and lot Consolidation Plan dated December 28, 2017; and

WHEREAS, N.J.S.A. 40:67-1 et seq. authorizes a municipality to vacate the public interest in any public street, highway, lane or alley or any part thereof.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Township of Piscataway, County of Middlesex, State of New Jersey, as follows:

1. The rights of the public and the Township of Piscataway in and to all of Gallagher Place and Street, in its entirety, are hereby extinguished and vacated; and
2. The rights of the public and the Township of Piscataway in and to a portion of Rothe Place to be vacated from 150 feet South of Turner Place to the Southern borders of Block 5201, Lot 8 and Lot 20.01, a total area of 14,414.3 square feet, as indicated on the Existing Conditions and lot Consolidation Plan dated December 28, 2017, are hereby extinguished and vacated; and
3. Pursuant to N.J.S.A. 40:49-6, at least one week prior to the time affixed for consideration of this Ordinance for final passage, a copy thereof, together with a notice of introduction thereof, at a time and place when and where the Ordinance will be further considered for final passage, should be mailed to every person whose land may be effected by this Ordinance insofar as it may be ascertained. Said notices shall be made by the Township Clerk to the owners of Block 5201, Lot 8 and Lot 20.01; and
4. The Township Clerk shall, within 60 days of the effective date of this Ordinance, file copies of this Ordinance certified by her under the seal of the Township to be a true copy thereof, together with proof of publication thereof in the office of the Clerk of the County of Middlesex in accordance with the provisions of N.J.S.A. 40:67-21; and

5. The Mayor and Council declare this right-of-way to be surplus and not needed for public use; and
6. If any article, 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 and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable; and
7. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

This Ordinance shall take effect immediately upon second reading, final passage and publication as required by law.

Mrs. McCullum opened the Meeting to the Public for Comments on 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.

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

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Bullard, 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 was introduced on the 28<sup>th</sup> day of August, 2018 and had passed the first reading and was published on the 31<sup>st</sup> day of August, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on September 18, 2018, be adopted, passed, and after passage, be published, together with a notice of the date of passage or approval, in the official newspaper.

BE IT FURTHER RESOLVED that this Ordinance shall be assigned No. 18-19.

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

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

BE IT ORDAINED, by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter XIV – Building, Section 14-3, is hereby added to read as follows:

14-3 Certificates of Occupancy and Continued Occupancy.

14-3.1 Establishment of Office of Supervising Housing Certificate of Occupancy Official.

The office of the Municipal Certificate of Occupancy Official and hereby created, and the executive official in charge shall be known as the Municipal Supervising Certificate of Occupancy Official (the "Supervising Official"). The Supervising Official shall be appointed as provided by law, and shall report to the Township Business Administrator. His appointment shall continue during good behavior and satisfactory service. He shall not be removed from office except for cause after a full opportunity has been given to him to be heard on specific charges. During temporary absence or disability of the Supervising Official, the appointing authority shall designate an Acting Supervising Official.

14-3.2 Duties of Supervising Housing Certificate of Occupancy.

It shall be the duty of the Supervising Certificate of Occupancy Official, and his Designee(s) to enforce all national, state and municipal laws, codes, ordinances, rules and regulations relating to the use and occupancy of buildings and structures within the Township.

14-3.3 Certificates of Occupancy and Continued Occupancy.

- a. A municipal certificate of occupancy (“CO”); is hereby required as a precondition for the occupancy, in whole or in part, of any new residential dwelling or building addition to a residential dwelling.
- b. A municipal certificate of continued occupancy (“CCO”) is hereby required as a pre-condition for the continued occupancy, in whole or in part, of any existing residential dwelling.
- c. A CO is a document issued by the Township upon a determination that a residential dwelling is fit for human habitation in accordance with the provisions of the Uniform Construction Code, Ordinances of the Township of Piscataway, and any other national laws, codes, rules and regulations.
- d. A CCO is a document issued by the Township upon a determination that an existing residential dwelling continues to remain fit for human habitation in accordance with the provisions of the Uniform Construction Code, Ordinances of the Township of Piscataway, and any other national laws, codes, rules and regulations.
- e. No owner or agent shall sell, transfer or grant with right of occupancy, whether or not for monetary or other consideration, any new or existing dwelling, unit or premises on which a building or structure is located and used for human occupancy, unless a CO, or CCO, as the case may be, is first obtained from the Township, after submittal of a complete application therefore and the fee provided for herein. The Township Construction Official and/or the Supervising Official shall be afforded the opportunity to inspect the building, structure and or premises by the owner, and said owner shall consent to said inspection(s).
- f. The owner of a residential dwelling unit is hereby charged with responsibility for making written application in accordance with this Ordinance for a CCO. The buyer of such dwelling may elect to assume the seller’s responsibility including the obligation to correct all violations; provided, however, that such election shall be in writing and shall state that the buyer is totally aware that he, she or it, is assuming responsibility for obtaining a CCO pursuant to this Ordinance, and provided, further, that such written election shall be filed with the Supervising Official. If, in the opinion of the Supervising Official, the violations do not affect life safety, then the buyer may be permitted to occupy the residential unit during the time the violations are being corrected. The buyer shall not occupy the residential until all life safety violations are corrected and the residential unit is reinspected by the Township. Upon correction of all violations of any nature, the buyer shall request the Township to reinspect the residential unit for compliance. Upon the Township determining that buyer is in complete compliance, an unconditional CCO shall be issued.
- g. The Supervising Official shall issue a residential CCO, provided that there are no violations of law or orders of the Construction Official, in consultation with the Zoning Officer, and it is established after site inspection and investigation of available municipal records that the alleged use of the building or structure has lawfully existed. The CCO shall evidence only that a general inspection of the visible parts of the building or structure has been made and that no violations of N.J.A.C. 5:23-2.14, as amended (Construction Permits When Required), and N.J.A.C. 5:2q3-2.18, as amended (Required Inspections), have been determined to exist, no conditions of violation of N.J.A.C. 5:23-2.23, as amended (Unsafe Structures), or unsafe conditions have been observed and no violations of the Revised General Ordinances of the Township of Piscataway have been found to exist.
- h. If the Supervising Official, as the result of a permit records search and/or a general inspection of visible parts of the structure, finds a violation as set forth in subsection e. He shall notify the owner of the violation in writing by electronic or regular mail, or by hand delivering the notice to the owner or his agent. The notice shall identify the premises and specify the violations and

any remedial action required, along with a compliance date. The notice will require the owner to satisfy the violations, file any necessary permits as required, and the notice shall also state that failure to correct the violations within the times specified shall result in fines as prescribed in the Uniform Construction Code.

- i. A temporary Certificate of Continued Occupancy, if issued, in the discretion of the Supervising Official, shall be effective for a period of up to ninety (90) days. One (1) administrative extension of not more than thirty (30) days may be granted by the Supervising Official. If the owner of the dwelling unit fails to sell, transfer or grant the right of occupancy within this period, the owner shall make a new written application for and obtain a new CCO.
- j. A CO and CCO shall be valid for a period of six months from the date of issue unless a change in occupancy has occurred, and must be renewed for each occupancy.

14-3.4 Fees.

The Township of Piscataway shall charge application fees for a CO and CCO as follows:

CO or CCO – One or two family (1-5 business days)	\$100.00 per unit
CO or CCO – One or two family (6-10 business days)	\$ 75.00 per unit
CO or CCO – Three or more dwelling units (1-5 business days).	\$ 50.00 per unit
CO or CCO – Three or more dwelling units (6-10 business days).	\$ 40.00 per unit
Temporary CO or CCO – One or two family dwelling	\$100.00 per unit
Temporary CO or CCO – Three or more dwelling units	\$ 75.00 per unit
Second inspection fee	\$ 75.00
Third inspection fee	\$150.00

14-3.5 Liability of Supervising Certificate of Occupancy Official.

The Supervising Official or any employee charged with the enforcement of this Ordinance, acting in good faith and without malice in the discharge of his duties, shall not thereby render himself liability personally; and he is hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or by reason of any act or omission in the discharge of his duties. Any suit brought against the Supervising Official, or his employee, because of such act or omission performed by him in the enforcement of any provisions of this Code, shall be defended by the legal department of the Township at the Township's sole cost and expense, until final termination of the proceedings.

14-3.6 Right of Entry

The Supervising Certificate of Occupancy Official, in the discharge of his official duties and upon property identification, shall have authority to enter any building, structure or premises at any reasonable hour, if there is reason to believe work is being performed contrary to regulations of the State of New Jersey Uniform Construction Code N.J.A.C. 5:23.

14-3.7 Enforcement and Penalties

- a. Any person, firm or corporation violating any provisions of this Section 14-3 shall, upon conviction, be punishable by a fine not exceeding \$1,000.00, imprisonment for a period not exceeding thirty (30) days and/or a period of community service not exceeding thirty (30) days.
- b. The issuance of a CO or CCO shall not preclude the imposition of penalties upon subsequent discovery of a violation.

14-3.8 Effective Date.

This Ordinance shall become effective on January 1, 2019.

If any article, 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 and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior Ordinance of the Township, the provision hereof shall be determined to govern. All other parts, portions and provisions

of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.

Mrs. McCullum opened the Meeting to the Public for Comments on an ORDINANCE AMENDING CHAPTER XIV (14) BUILDING OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.

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

RESOLUTION offered by Mr. Bullard, seconded by Mr. Uhrin, 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 was introduced on the 28<sup>th</sup> day of August, 2018 and had passed the first reading and was published on the 31<sup>st</sup> day of August, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on September 18, 2018, be adopted, passed, and after passage, be published, together with a notice of the date of passage or approval, in the official newspaper.

BE IT FURTHER RESOLVED that this Ordinance shall be assigned No. 18-20.

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

#### RESOLUTION #18-404

RESOLUTION offered by Mrs. Lombardi, seconded by Mrs. Cahill, 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 September 18, 2018 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Electronic Tax Sale and Advertising Bids for Electronic Tax Sale.
- b. RESOLUTION – Authorizing Raffle and Bingo Licenses – RA-1375 – Rutgers University Foundation, Inc. – RA-1376 & BA-269 – BPOE Piscataway Lodge #2414 – BA-270 – Zeta Phi Beta Sorority Inc. Omega Mu Zeta Chapter.
- c. RESOLUTION – Voiding Duplicate Resolution #18-372.
- d. RESOLUTION – Authorizing Return of Engineering and Inspection Fees:
  - Ronald J. Brummert Jr. – Block 2605, Lot 6 – 162 Blackford Avenue.
  - CIP #19 Joint Venture – Block 4801, Lot 6.01 – 1045 Centennial Avenue.
- e. RESOLUTION – Authorizing Release of Performance Surety and Cash Bonds – F.W. Webb Company - Block 6703, Lot 6.08 – 180 Centennial Avenue.
- f. RESOLUTION – Authorizing Award of Contract – Lightpath Fiber Services – Cablevision Lightpath NJ LLC – \$200,000.00.
- g. RESOLUTION – Authorizing Return of Escrow Fees:
  - BDP Industrial Development II, LP – Block 4501, Lot 1.02 – 150 Old New Brunswick Road.
- h. RESOLUTION – Authorizing Professional Planning Services – Reexamination Report – John T. Chadwick IV, P.P. – Not to Exceed \$10,000.00.

- i. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – Block 201, Lot 2.02 – 1711 South 2<sup>nd</sup> Street.
- j. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – Block 6703, Lot 7 – 120 Centennial Avenue.
- k. RESOLUTION – Authorizing Acceptance of Safe and Secure Communities Grant.
- l. MOTION – Accept Report of Clerk’s Account – August 2018.
- m. MOTION – Accept Report of the Division of Revenue – August 2018.
- n. MOTION – Receive and Enter into Minutes Disbursements for the Month of August 2018.
- o. MOTION – Accept Minutes Regular and Agenda Meetings – April 24, 2018.
- p. MOTION – Accept Minutes Regular and Agenda Meetings – May 1, 2018.
- q. MOTION – Accept Minutes Regular and Agenda Meetings – May 8, 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 September 18, 2018 Regular meeting and adopted by separate vote.

On roll call vote, Messrs. Bullard, Cahill, 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 #18-405

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

WHEREAS, the Township of Piscataway (the “Township”) wishes to authorize an electronic municipal tax lien sale, pursuant to N.J.A.C. §5:33-1.1(b); and

WHEREAS, the Administration has recommended that the Township Council of the Township of Piscataway authorize appropriate municipal officials to prepare bid specifications, advertise and receive bids in regard to the electronic municipal tax lien sale; 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 complete an electronic municipal tax lien sale, pursuant to N.J.A.C. §5:33-1.1(b); and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to prepare bid specifications, advertise and receive bids in regard to the electronic municipal tax lien sale.

RESOLUTION #18-406

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

WHEREAS, Rutgers University Foundation, Inc., New Brunswick, NJ, has filed Application No. RA 1375 with the Township of Piscataway for a Raffle License to conduct an Off-Premise Draw Raffle on November 8, 2018, at Rutgers Athletic Center, 83 Rockafeller Rd, Piscataway, NJ; and

WHEREAS, BPOE Piscataway Lodge #2414, Piscataway, NJ, has filed Application No. RA 1376 with the Township of Piscataway for a Raffle License to conduct an On-Premise “Night at the Races” Raffle on November 3, 2018, at 450 River Road, Piscataway, NJ; and

WHEREAS, the Township Municipal Clerk has reviewed the applications and recommends that the applications for a Raffle License by Rutgers University Foundation, Inc. and BPOE Piscataway Lodge #2414, be approved; and

WHEREAS, BPOE Piscataway Lodge #2414, Piscataway, NJ, has filed Application No. BA 269 with the Township of Piscataway for a Bingo License to conduct an On-Premise Bingo Night on November 3, 2018, at 450 River Road, Piscataway, NJ; and

WHEREAS, Zeta Phi Beta Sorority Inc. – Omega Mu Zeta Chapter, Washington, DC, has filed Application No. BA 270 with the Township of Piscataway for a Bingo License to conduct an On-Premise Bingo Night on November 3, 2018, at Arbor Rescue Squad Hall, 1790 W 7<sup>th</sup> Street, Piscataway, NJ; and

WHEREAS, the Township Municipal Clerk has reviewed the applications and recommends that the applications for a Bingo License by BPOE Piscataway Lodge #2414 and Zeta Phi Beta Sorority Inc. – Omega Mu Zeta Chapter be approved; 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 accept Application No. RA 1375 and issue a Raffle License to Rutgers University Foundation, Inc., New Brunswick, NJ to conduct an Off-Premise Draw Raffle on November 8, 2018, at Rutgers Athletic Center, 83 Rockafeller Rd, Piscataway, NJ and accept Application No. RA 1376 and issue a Raffle License to BPOE Piscataway Lodge #2414, Piscataway, NJ to conduct an On-Premise “Night at the Races” Raffle on November 3, 2018, at 450 River Road, Piscataway, NJ; and

BE IT FURTHER RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to accept Application No. BA 269 and issue a Bingo License to BPOE Piscataway Lodge #2414, Piscataway, NJ to conduct an On-Premise Bingo Night on November 3, 2018, at 450 River Road, Piscataway, NJ and accept Application No. BA 270 and issue a Bingo License to Zeta Phi Beta Sorority Inc. – Omega Mu Zeta Chapter, Washington, DC to conduct an On-Premise Bingo Night on November 3, 2018, at Arbor Rescue Squad Hall, 1790 W 7<sup>th</sup> Street, Piscataway, NJ.

RESOLUTION #18-407

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

WHEREAS, the Township of Piscataway (the “Township”) passed Resolution #18-355 and Resolution #18-372, which were duplicates and authorized refunds for the overpayment of taxes to the same properties; and

WHEREAS, the Township now wishes to void resolution #18-372, as the properties listed in said resolution have already been refunded; 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 void Resolution #18-372, as the properties listed in said resolution have already been refunded for their tax overpayments.

RESOLUTION #18-408

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

WHEREAS, Ronald J. Brummert, Jr., Piscataway, NJ has completed his project on Block 2605, Lot 6 (162 Blackford Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated July 11, 2018 and a Memorandum from the Township Supervisor of Engineering dated August 14, 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 \$761.50 be returned to Ronald J. Brummert, Jr., Piscataway, NJ; and

WHEREAS, CIP #19 Joint Venture, Millburn, NJ has completed their project on Block 4801, Lot 6.01 (1045 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated July 13, 2018 and a Memorandum from the Township Supervisor of Planning dated August 14, 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 \$500.00 to CIP #19 Joint Venture, Millburn, 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 Ronald J. Brummert, Jr., Piscataway, NJ in the amount of \$761.50, regarding Block 2605, Lot 6 (162 Blackford Avenue); and

BE IT FURTHER RESOLVED by the Township Council of the Township of

Piscataway, that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to CIP #19 Joint Venture, Millburn, NJ in the amount of \$500.00 regarding Block 4801, Lot 6.01 (1045 Centennial Avenue).

RESOLUTION #18-409

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

WHEREAS, F.W. Webb Company, Bedford, MA, requests the release of a Performance Surety Bond in the original amount of \$380,068.42 and a Cash Bond in the original amount of \$42,229.82, which were posted with the Township of Piscataway on February 8, 2017 for Zoning Board Application # 16-ZB-50V regarding improvements for Block 6703, Lot 6.08 (180 Centennial Avenue); and

WHEREAS, pursuant to resolution #18-56, 70% of the Performance Surety and Cash Bonds were returned to F.W. Webb Company, reducing the Performance Surety Bond to \$114,020.53 and the Cash Bond to \$12,668.95; and

WHEREAS, pursuant to a Request for Release of Funds dated July 5, 2018 and a letter from the Township Supervisor of Engineering dated August 14, 2018, copies of which are attached hereto and made a part hereof, the Supervisor of Engineering advised that all improvements required and covered have been satisfactorily installed and recommends the release of the above referenced Performance Surety Bond and Cash Bond in the amounts of \$114,020.53 and \$12,787.89, respectively, in regard to the above referenced property; 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 said Performance Surety Bond in the amount of \$114,020.53 and said Cash Bond in the amount of \$ 12,787.89 (including accrued interest), regarding Zoning Board application #16-ZB-50V.

RESOLUTION #18-410

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

WHEREAS, the Township of Piscataway (the "Township") is in need of Lightpath Fiber Services; and

WHEREAS, the Township Network Administrator recommends awarding a contract for the Lightpath Fiber Services through ESCNJ Cooperative #65MCECCPS, Contract MRESC 15/16-55 to Cablevision Lightpath NJ, LLC, Jericho, NY, for a period ending December 31, 2021, in the amount not to exceed \$200,000.00; and

WHEREAS, N.J.S.A. 40A:11-15(8) authorizes the Township to enter into a contract for the supplying of any product or the rendering of any service by a company providing voice, data, transmission, or switching services for a term not exceeding five (5) years; and

WHEREAS, N.J.S.A. 52:34-6.2 et. seq. authorizes the Township to make purchases and contract for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process; and

WHEREAS, there is funding available pursuant to certification # R-2018-0104;

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 with Cablevision Lightpath NJ, LLC, Jericho, NY for Lightpath Fiber Services, for a period ending December 31, 2021, in the amount not to exceed \$200,000.00 through ESCNJ Cooperative #65MCECCPS, Contract MRESC 15/16-55.

RESOLUTION #18-411

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

WHEREAS, on June 11, 2018, BDP Industrial Development II, LP, Itasca, IL, posted an escrow check with the Township of Piscataway in the amount of \$7,500.00, regarding Block 4501, Lot 1.02 (150 Old New Brunswick Road); and

WHEREAS, pursuant to a Request for Release of Funds dated August 8, 2018 and a Memorandum from the Township Supervisor of Planning dated August 24, 2018, the Supervisor of Planning and the Finance Department approved the release of the

unexpended escrow fees in the amount of \$7,506.26 (including accrued interest) to BDP Industrial Development II, LP, Itasca, IL; 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 unexpended escrow fees to BDP Industrial Development II, LP, Itasca, IL in the amount of \$7,506.26 (including accrued interest) regarding Block 4501, Lot 1.02 (150 Old New Brunswick Road)

RESOLUTION #18-412

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

WHEREAS, the Township of Piscataway (“Township”) wishes to obtain Professional Planning Services in connection with the updating of the Township Reexamination Report, pursuant to N.J.S.A. 40:55D-89 (the "Project"); and

WHEREAS, John T. Chadwick IV, P.P., Kendall Park, NJ has submitted a proposal dated September 4, 2018 for Professional Planning Services for the Project, a copy of which is attached hereto and made a part hereof, for the amount not to exceed \$10,000.00 (“Proposal”); and

WHEREAS, John T. Chadwick IV, Kendall Park, NJ was previously qualified under the Fair and Open Process to provide Professional Planning Services – Board of Adjustment Planner to the Township for 2018; and

WHEREAS, there is funding available pursuant to certification # R-2018-0101;

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 with John T. Chadwick IV, P.P., Kendall Park, NJ, to provide Professional Planning Services for the updating of the Township Reexamination Report, pursuant to N.J.S.A. 40:55D-89, as specified above, at the rates set forth in the Proposal, with such services not to exceed \$10,000.00 in cost.

RESOLUTION #18-413

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

WHEREAS, the following party overpaid taxes and is requesting a 1/2 refund and ½ application of this amount as listed below:

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
201	2.02		2 <sup>nd</sup> Street Assoc 1711 S 2 <sup>nd</sup> St	2015	47949.16	Tax Court Judgment
201	2.02		2 <sup>nd</sup> Street Assoc 1711 S 2 <sup>nd</sup> St	2016	53956.18	Tax Court Judgment
201	2.02		2 <sup>nd</sup> Street Assoc 1711 S 2 <sup>nd</sup> St	2017	68574.00	Tax Court Judgment
201	2.02		2 <sup>nd</sup> Street Assoc 1711 S 2 <sup>nd</sup> St	2018	36799.49	Tax Court Judgment

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 #18-414

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	YEAR	AMOUNT	REASON
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6703	7	VIRDI R E HOLDINGS 120 CENTENNIAL AVE	2015	12734.90	TAX COURT JUDGMENT
6703	7	VIRDI R E HOLDINGS 120 CENTENNIAL AVE	2016	12917.38	TAX COURT JUDGMENT
6703	7	VIRDI R E HOLDINGS 120 CENTENNIAL AVE	2017	16552.90	TAX COURT JUDGMENT

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 #18-415

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

WHEREAS, the Piscataway Township Police Department has been awarded the 2018 Safe and Secure Communities Program, Grant # P-18-1217 from the New Jersey Department of Law and Public Safety, Division of Criminal Justice Sub Award. The subgrant, award of \$60,000.00 from the State, and \$76,552.89 Local Matching Funds for fringe benefits for the period August 1, 2017 to July 31, 2018, is for the purposes set forth in the approved application; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in the application and notice of award number P-18-1217; and

WHEREAS, the Application for Subgrant Award calls for a match for fringe benefits amounting to \$76,552.89 which the Piscataway Township Police Department adequately satisfied through the 2018 Piscataway Township approved budget for Division salaries and wages and fringe benefits.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Piscataway that the Township of Piscataway herewith accepts the subaward # P-18-1217, of the 2018 Safe and Secure Communities Program; and the match for fringe benefits in the amount of \$76,552.89; for the period, August 1, 2017 to July 31, 2018;

BE IT FURTHER RESOLVED that the Township Administrator, the Township Chief Financial Officer and the Chief of Police of the Township of Piscataway are hereby authorized to sign the appropriate subgrant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey Department of Law and Public Safety, Division of Criminal Justice; the Township Administrator; the Township Chief Financial Officer; and the Chief of Police, Township of Piscataway.

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

CONTINUED ON NEXT PAGE

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Jim Bullard commented about the Library holding the second annual Art Conference, it turned out well.

Gabrielle Cahill commented on it being the beginning of Yom Kippur and she wished those celebrating an easy fast.

Michele Lombardi offered condolences to the family of Craig Stevens who was a Department of Public Works employee.

OPEN TO PUBLIC:

Jacob Link, 61 Allen Street East, commented about a really bad rain storm last Thursday and there being a foot of water outside his home and him and his wife being concerned. He asked if there was a problem with the sewer, he asked for answers.

Timothy Dacey commented that a microburst passed through town and inundated the storm sewer system with more than four inches of rain.

Mayor Wahler advised storm sewers are built to accommodate 2 inches of rain over a 24 hour period. He suggested residents clear the storm drains in front of their homes if they see anything on them. He also suggested residents keep their gutters and leaders clear.

David Akins, 39 Ambrose Valley Lane, asked about item f and if the minutes will reflect it is a three year contract.

Timothy Dacey responded yes, the resolution will be included in the minutes which indicate it is a three year contract.

Junior Romero, 100 Bayard St., New Brunswick, NJ, from New Jersey Water Works distributed an article about New Brunswick passing an Ordinance for 100% renewable energy. He asked that Piscataway consider passing a local renewable energy Ordinance.

Mayor Wahler responded the Township has met with PSE&G regarding LED lighting within the Township. Also, the Township already participates in bulk purchasing through the SIM for the past 15 years. The Township has been working towards energy efficiency in all the buildings.

Gabrielle Cahill commented about the canopies that were installed at the Police Station and DPW eventually having solar panels.

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 7:53 pm on motion of Mrs. Lombardi, seconded by Mr. Bullard, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

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Chanelle McCullum  
Council President