

November 27, 2018

A Regular Meeting of the Piscataway Township Council was held on November 27, 2018 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by the Council Vice-President, Frank Uhrin, at 7:30 pm.

Mr. Uhrin 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, Cahn, Lombardi, Shah, and Uhrin. Mr. Uhrin led the salute to the flag.

There were no comments from Administration and Council.

Mr. Uhrin 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.

Mr. Uhrin opened the Meeting to the Public for Comments on an 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. Cahn, 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 8th day of November, 2018 and had passed the first reading and was published on the 13th day of November, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on November 27, 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, Cahn, Lombardi, Shah, and Uhrin answered yes.

The Clerk read for SECOND READING the following ORDINANCE:
ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XII (12), PARKS AND RECREATION AREAS, SECTION 8, TO ADD THE PISCATAWAY TOWNSHIP RECREATION UTILITY, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS the Township of Piscataway is engaged in the providing of recreation programs and recreation facilities within the Township; and

WHEREAS it is the desire and intention of the Township that all such recreation programs and facilities be part of a single operating system hereafter to be known as the Piscataway Township Recreation Utility; and

WHEREAS the Township of Piscataway has determined it has an ongoing need to provide for the various recreation programs and facilities; and

WHEREAS it is the responsibility of the Township to administer said recreation programs and facilities of the Piscataway Township Recreation Utility, including all contractual relationships relating to same, within the Township Government, hereafter to be known as the Piscataway Township Recreation Utility; and

WHEREAS the Governing Body of the Township of Piscataway has determined that the most equitable manner of providing for the recreation programs and facilities and funding the expense of these recreation programs, facilities and the recreation infrastructure improvements necessary, and administrative expenses associated therewith is the imposition of a "recreation fee".

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter XII,

Parks and Recreation Areas, Section 8, of the Revised General Ordinances of the Township of Piscataway is hereby amended to add the Piscataway Township Recreation Utility, with additions shown in italics and deletions shown in brackets with text as follows:

CHAPTER XII

* * *

12-8 PISCATAWAY TOWNSHIP RECREATION UTILITY.

12-8.1 Creation of the Piscataway Township Recreation Utility

The Governing Body of the Township of Piscataway in the County of Middlesex and State of New Jersey in accord with the enabling legislation provided by Title 40A, Chapter 4, Local Budget Law, of the New Jersey Revised Statutes hereby creates for and in the Township of Piscataway a recreation utility hereinafter known as "The Piscataway Township Recreation Utility."

The duties of the Piscataway Township Recreation Utility are as follows: The operation and maintenance of the Township of Piscataway's recreation programs and facilities and shall be empowered to make such improvements as may be necessary to further the goals of the Piscataway Township Recreation Utility and issue bonds in connection therewith.

Shall have the authority to establish, charge, and collect fees for programs and services and for use of the recreation utility facilities.

Shall have all such other powers and duties as may be specified and prescribed in the enabling legislation heretofore referenced and in such other applicable law.

BE IT FURTHER ORDAINED that 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.

BE IT FURTHER ORDAINED that 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.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon second reading, final passage and publication as required by law.

Mr. Uhrin opened the Meeting to the Public for Comments on ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XII (12), PARKS AND RECREATION AREAS, SECTION 8, TO ADD THE PISCATAWAY TOWNSHIP RECREATION UTILITY, IN 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. Cahn, BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that: AN ORDINANCE ENTITLED: ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XII (12), PARKS AND RECREATION AREAS, SECTION 8, TO ADD THE PISCATAWAY TOWNSHIP RECREATION UTILITY, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

was introduced on the 8th day of November, 2018 and had passed the first reading and was published on the 13th day of November, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on November 27, 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. 18-25.

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

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE APPROPRIATING \$2,000,000 FROM THE AFFORDABLE HOUSING TRUST FUND FOR PHASE 1 OF THE SENIOR HOUSING STERLING VILLAGE BUILDING FACILITY IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

Section 1. \$2,000,000 is hereby appropriated from the Affordable Housing Trust Fund for Phase 1 of the Senior Housing Sterling Village building facility improvements, as more specifically described on a list on file in the Office of the Clerk, which is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto in and by the Township of Piscataway, in the County of Middlesex, New Jersey (the "Township").

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

Mr. Uhrin opened the Meeting to the Public for Comments on an ORDINANCE APPROPRIATING \$2,000,000 FROM THE AFFORDABLE HOUSING TRUST FUND FOR PHASE 1 OF THE SENIOR HOUSING STERLING VILLAGE BUILDING FACILITY IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

There being no comments, this portion of the meeting was closed to the public. RESOLUTION offered by Mrs. Lombardi, seconded by Mrs. Cahill, BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that: ORDINANCE APPROPRIATING \$2,000,000 FROM THE AFFORDABLE HOUSING TRUST FUND FOR PHASE 1 OF THE SENIOR HOUSING STERLING VILLAGE BUILDING FACILITY IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

was introduced on the 8th day of November, 2018 and had passed the first reading and was published on the 12th day of November, 2018.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on November 27, 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. 18-26.

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

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE APPROPRIATING \$330,000, \$20,000 OF WHICH IS FROM CAPITAL SURPLUS AND \$310,000 OF WHICH IS FROM THE CAPITAL IMPROVEMENT FUND FOR VARIOUS SEWER UTILITY IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

Section 1. \$330,000 is hereby appropriated, \$20,000 of which is from capital Surplus and \$310,000 of which is from the Capital Improvement Fund for various sewer utility improvements, consisting of TV truck upgrades and flusher truck assessment, including all related costs and expenditures incidental thereto in and by the Township of Piscataway, in the County of Middlesex, New Jersey (the "Township").

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital

or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

Mr. Uhrin opened the Meeting to the Public for Comments on ORDINANCE APPROPRIATING \$330,000, \$20,000 OF WHICH IS FROM CAPITAL SURPLUS AND \$310,000 OF WHICH IS FROM THE CAPITAL IMPROVEMENT FUND FOR VARIOUS SEWER UTILITY IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

There being no comments, this portion of the meeting was closed to the public. RESOLUTION offered by Mr. Bullard, seconded by Mr. Shah, BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: ORDINANCE APPROPRIATING \$330,000, \$20,000 OF WHICH IS FROM CAPITAL SURPLUS AND \$310,000 OF WHICH IS FROM THE CAPITAL IMPROVEMENT FUND FOR VARIOUS SEWER UTILITY IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

was introduced on the 8th day of November, 2018 and had passed the first reading and was published on the 12th day of November, 2018. NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on November 27, 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. 18-27.

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

The Clerk read for FIRST READING the following ORDINANCE: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$8,175,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,766,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

RESOLUTION offered by Mr. Cahn, seconded by Mrs. Cahill, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: AN ORDINANCE ENTITLED: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$8,175,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,766,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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 December, 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. Bullard, Cahill, Cahn, Lombardi, Shah, and Uhrin answered yes.

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER IV (4) LICENSING AND BUSINESS REGULATIONS; SECTION 4-14 FIBER OPTIC CABLE.

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: ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE

OF NEW JERSEY, AMENDING CHAPTER IV (4) LICENSING AND BUSINESS REGULATIONS; SECTION 4-14 FIBER OPTIC CABLE.

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 December, 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. Bullard, Cahill, Cahn, Lombardi, Shah, and Uhrin answered yes.

The Clerk read for FIRST READING the following 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, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

RESOLUTION offered by Mrs. Lombardi, seconded by Mrs. Cahill, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: 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, IN 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 December, 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. Bullard, Cahill, Cahn, Lombardi, Shah, and Uhrin answered yes.

RESOLUTION #18-483

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Bullard, 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 November 27, 2018 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – Horiba Instruments Inc. – Block 6102, Lot 2.01 – 20 Knightsbridge Road.
- b. RESOLUTION – Authorizing Change Order #1 – School Street Road Improvements Phase II – KM Construction Corp. – Not to Exceed \$63,488.32.
- c. RESOLUTION – Authorizing Change Order #1 – Removal of Vegetative Debris from Ecological Park – Vito Tree Care & Land Management – Not to Exceed \$42,003.30.
- d. RESOLUTION – Authorizing Return of Sterling Village Security Deposit:
 - Sara Mulla – Apt. 320

- e. RESOLUTION – Authorizing Change Order #1 – 2018 Turf Treatments and Vegetation Control – JCW Inc. d/b/a Natural Green Lawn Care – Not to Exceed \$1,865.00.
- f. RESOLUTION – Authorizing Budget Transfers.
- g. MOTION – Accept Report of Clerk’s Account – October 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 November 27, 2018 Regular meeting and adopted by separate vote.

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

RESOLUTION #18-484

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

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
6102	2.01		Horiba Instruments Inc 20 Knightsbridge Rd	2017	221322.05	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 #18-485

WHEREAS, the Township of Piscataway (the “Township”) awarded a contract to KM Construction Corp., Irvington, NJ for the School Street Road Improvements Phase II (the "Project"), in an amount not to exceed \$2,288,740.89; and

WHEREAS, additional work was necessary for the Project that was not included in the original scope of work outlined by the Township and not anticipated in the proposal from KM Construction Corp. to the Township for the Project; and

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

WHEREAS, this change order would represent a \$63,488.32 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$2,352,229.21, a 2.77% increase; and

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

WHEREAS, pursuant to a change order form, dated November 7, 2018, from the Township Director of Public Works, said Director of Public Works recommends approving the Change Order Request No. 1; and

WHEREAS, funds are available pursuant to certification # B-2018-011-01;

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 amend the total contract amount for the Project with KM Construction Corp., Irvington, NJ from \$2,288,740.89 to a final total not to exceed \$2,352,229.21 and execute the enclosed Contract Change Order in the amount of \$63,488.32, subject to all bid specifications and contract documents.

RESOLUTION #18-486

WHEREAS, the Township of Piscataway (the “Township”) awarded a contract to Vito Tree Care & Land Management, South Hackensack, NJ for emergency vegetative debris removal from the Ecological Park (the "Project"), in an amount not to exceed \$95,000.00; and

WHEREAS, additional work was necessary for the Project that was not included in the original scope of work outlined by the Township and not anticipated in Vito Tree Care & Land Management’s proposal to the Township for the Project; and

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

WHEREAS, this change order would represent a \$42,003.30 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$137,003.30, a 44.21% increase; and

WHEREAS, N.J.A.C. 5:30-11.3(a)(12) authorizes a municipality to approve change orders above twenty (20) percent of the originally awarded contract in regard to emergency situations; and

WHEREAS, pursuant to a change order form dated November 1, 2018 from the Township Director of Public Works, said Director of Public Works recommends approving the Change Order Request No. 1; and

WHEREAS, funds are available pursuant to certification # R-2018-0070-01;

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 amend the total contract amount for the Project with Vito Tree Care & Land Management, South Hackensack, NJ from \$95,000.00 to a final total not to exceed \$137,003.30 and execute the enclosed Contract Change Order in the amount of \$42,003.30, subject to all bid specifications and contract documents.

RESOLUTION #18-487

WHEREAS, Sara Mulla requests the return of a Security Deposit in the amount of \$930.65, posted with the Township of Piscataway for Apartment 320 at Sterling Village; and

WHEREAS, Sara Mulla was charged a \$461.73 maintenance and storage space fee for items left behind when she moved out that maintenance had to remove from the Apartment and store same; 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 \$468.92 of said Security Deposit to Sara Mulla, with the remainder of said Security Deposit to be released to the Township of Piscataway, in the amount of \$461.73, to cover the maintenance and storage fee for the removal of items that were left behind by Sara Mulla regarding Apartment 320 at Sterling Village.

RESOLUTION #18-488

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Natural Green Lawn Care, Bridgewater, NJ for the 2018 Turf Treatments & Vegetation Control (the "Project"), in an amount not to exceed \$35,210.00; and

WHEREAS, additional work was necessary for the Project that was not included in the original scope of work outlined by the Township and not anticipated in Natural Green Lawn Care's proposal to the Township for the Project; and

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

WHEREAS, this change order would represent a \$1,865.00 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$37,075.00, a 5.3% increase; and

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

WHEREAS, pursuant to a change order form, dated November 16, 2018, from the Township Landscape Architect, said Landscape Architect recommends approving the Change Order Request No. 1; and

WHEREAS, funds are available pursuant to certification # B-2018-003-A;

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 Natural Green Lawn Care, Bridgewater, NJ from \$35,210.00 to a final total not to exceed \$37,075.00 and execute the enclosed Contract Change Order in the amount of \$1,865.00, subject to all bid specifications and contract documents.

RESOLUTION #18-489

WHEREAS, N.J.S.A. 40A:4-58 provides for appropriation transfers during the last two (2) months of the fiscal year from those accounts where there is an excess over the amount deemed necessary to those appropriations deemed to be insufficient.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Piscataway, that the following transfers are hereby authorized:

CURRENT FUND

FROM			TO		
ACCOUNT #	DESCRIPTION	AMOUNT	ACCOUNT #	DESCRIPTION	AMOUNT

01-2018-260-280-2	DPW: Fleet Maintenance: OE	20,000.00	01-2018-200-140-2	Postage - OE	10,000.00
01-2018-280-365-1	DPW: Parks & Maintenance -SW	75,000.00	01-2018-280-365-2	DPW: Parks & Maintenance - OE	95,000.00
01-2018-250-245-1	Crossing Guards: SW	25,000.00	01-2018-300-415-2	Severance Liability: - OE	15,000.00
	TOTAL	\$120,000		TOTAL	\$120,000

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

All council members offered thoughts and condolences on Anne Gordon's passing.

OPEN TO PUBLIC:

Anthony Weil, 2250 Plainfield Ave North, asking where the 2 public places are that notices are placed. He is also concerned over semi truck traffic with warehouse being built nearby. Concerned about parking on Plainfield Ave North.

Fred White, 607 Ellis Parkway, feels there is a lack of detail in agenda. Tim Dacey and Mayor Wahler went into more detail regarding ordinances in question.

David Akins, 39 Ambrose Valley Ln, asking what changed with item C. Discussion by Mayor Wahler.

Judy Pain, 117 Fountain Ave, asking who is in charge of ballot layout. Explanation by council and that it is all handled by county board. Judy asked council why they got into public service, discussion ensued.

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 8:06 pm on motion of Mrs. Lombardi, seconded by Mr. Shah, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

Chanelle McCullum
Council President