

FEBRUARY 26, 2019

A Regular Meeting of the Piscataway Township Council was held on January 29, 2019 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by Council 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, Cahn, Cahill, 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 FIRST READING the following ORDINANCE: ORDINANCE TO AMENDING CHAPTER XXI (21) ZONING OF THE REVISED GENERAL ORDINANCES OF 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 AMENDING CHAPTER XXI (21) ZONING 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 26th day of March, 2019.

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 #19-110

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Cahn, 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 February 26, 2019 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Return of Cash Bond and Engineering & Inspection Fees – Tai Vuong – Block 7914, Lot 28.01 – 2 Lakeside Drive South.
- b. RESOLUTION – Authorizing Return of Escrow Fees:
 - Portland Properties, LLC – Block 915, Lot 2 – 430 Prospect Avenue.
 - CIP Conference Center Inc. – Block 5501, Lot 11.03 – 15 Seeley Avenue.

- International Laundry Service, LLC – Block 811, Lot 25.01 – 178 Tenth Street.
- c. RESOLUTION – Award of Bid – Tree and Stump Removal – M & A Tree Service, Inc. – Not to Exceed \$282,500.00.
- d. RESOLUTION – Authorizing Raffle Licenses RA-1389 and RA-1390 – PTO Knollwood Inc.
- e. RESOLUTION – Authorizing Refund of Overpayment of Taxes – Various Blocks and Lots.
- f. RESOLUTION – Authorizing Professional Engineering and Surveying Services – Cedarwood Drive Stormwater Rehabilitation Project – Maser Consulting – Not to Exceed \$37,250.00.
- g. RESOLUTION – Authorizing Additional Services – Piscataway Community and Cultural Arts Center Contract (Resolution #18-373) Amendment Request – Special Inspections – Lehrer Cumming – Not to Exceed \$44,000.00.
- h. RESOLUTION – Authorizing Award of Contract for Purchase Under State Contract #A88726 – 1 (One) 2019 Ford F-350 Pickup with Plow and Salt Spreader – Winner Ford – Not to Exceed \$41,692.00.
- i. RESOLUTION – Authorizing Award of Contract Under State Contract #79875 – Industrial /MRO Supplies and Equipment – WW Grainger, Inc. – Not to Exceed \$25,000.00.
- j. RESOLUTION – Authorizing Award of Contract Under State Contract #79167 – OEM Automotive Parts and Accessories for Light Duty Vehicles – Route 23 Auto Mall – Not to Exceed \$55,000.00.
- k. RESOLUTION – Authorizing Award of Contract Under State Contract #85846 – Parts and Repairs for Road Maintenance Equipment – Foley Inc. – Not to Exceed \$60,000.00.
- l. RESOLUTION – Authorizing Award of Contract Under State Contract #42074 – Automotive Parts for Heavy Duty Vehicles (Class 5 or Higher, Over 15,000 LB GVWR) – Campbell Freightliner, LLC – Not to Exceed \$25,000.00.
- m. RESOLUTION – Authorizing Award of Contract Under ESCNJ 16/17-19 – Plumbing Services and Material – Magic Touch Construction Co., Inc. – Not to Exceed \$22,000.00.
- n. RESOLUTION – Authorizing Award of Contract Under State Contract #82527 – Tires, Tubes and Services – Custom Bandag – Not to Exceed \$55,000.00.
- o. RESOLUTION – Authorizing Award of Contract Under ESCNJ 17/18-47 – Spruce Industries, Inc. – Not to Exceed \$22,000.00.
- p. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – Block 9001, Lot 56 – 50 Ethel Road West.
- q. RESOLUTION – Authorizing Purchase of ShotSpotter Gunshot Detection, Location, Atler and Analysis Solution – ShotSpotter, Inc. – Not to Exceed \$235,000.00.
- r. RESOLUTION – Authorizing Award of Contract Under State Contract #42083 – Automotive Parts for Heavy Duty Vehicles (Class 4 or Higher, Over 15,000 LB GVWR) – Norcia Corp. – Not to Exceed \$17,500.00.
- s. RESOLUTION – Authorizing Closeout Change Order and Final Payment Estimate No. 4 – Ecological Park Building Demolition – IBN Construction Corp. – Decrease of \$372,801.66.
- t. RESOLUTION – Authorizing Award of Contract Under Union Cooperative Contract UCCP-15-2018 – Road Materials – Weldon Materials, Inc. – Not to Exceed \$23,000.00.
- u. RESOLUTION – Authorizing Award of Contract Under ESCNJ 17/18-31 – Fitness Equipment for Piscataway Community and Cultural Arts Center - Fitness Lifestyles – Not to Exceed \$311,457.13.
- v. RESOLUTION – Consenting to the Transfer of Financial Agreement and Special Assessment Agreement Between the Township and Piscataway Building IV Urban Renewal LLC to KISS Logistics Urban Renewal, LLC in Connection with Redevelopment of Certain Property – Block 3502, Lot 6.06.

- w. RESOLUTION – Accept Recommendations of Housing & Community Development Advisory Committee.
- x. RESOLUTION – Appointment of Marilyn O'Day to the Senior Citizens Housing Board of Trustees – Filling an Unexpired Term Expiring 12/31/2020.
- y. RESOLUTION – Appointment of Joanna Drennan to the Property Maintenance Appeal Board – Filling an Unexpired Term Expiring 12/31/2019.
- z. RESOLUTION – Authorizing Rejection of Bid and Re-Bid of 2019-2020 Fourth of July Fireworks Display Show.
 - aa. MOTION – Accept Report of Clerk's Account – January 2019.
 - bb. MOTION – Accept Report of the Division of Revenue – January 2019.
 - cc. MOTION – Receive and Enter into Minutes Disbursements for the Month of January 2019.

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 February 26, 2019 Regular meeting and adopted by separate vote.

RESOLUTION #19-111

WHEREAS, Quyen Vuong, Piscataway, NJ, requests the release of a Cash Bond and Engineering and Inspections fees posted with the Township of Piscataway by Tai Vuong in the amounts of \$810.00 and \$34.00 respectively on October 6, 2008 for Zoning Board Application #07-ZB-36V regarding improvements for Block 7914, Lot 28.01 (2 Lakeside Drive South); and

WHEREAS, pursuant to a Request for Release of Funds dated February 20, 2018 and a letter from the Township Supervisor of Engineering dated May 19, 2018, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that the applicant decided to withdraw the application and not perform the improvements, and recommends the release of the Cash Bond and Engineering and Inspection Fees; 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 a Cash Bond in the amount of \$810.00 and Engineering and Inspection Fees in the amount of \$34.00, to Tai Vuong, Piscataway, NJ, regarding Zoning Board Application #07-ZB-36V.

RESOLUTION #19-112

WHEREAS, on September 21, 2018, Portland Properties, LLC, Scotch Plains, NJ, posted an escrow check on behalf of Michael Mastrocola, LLC with the Township of Piscataway in the amount of \$3,500.00, regarding Zoning Board Application #18-ZB-53V for Block 915, Lot 2 (430 Prospect Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated December 10, 2018 and a Memorandum from the Township Supervisor of Planning dated January 29, 2019, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$1,813.25, to Portland Properties, LLC, Scotch Plains, NJ; and

WHEREAS, on April 9, 2013 and June 21, 2013, CIP Conference Center Inc., Piscataway, NJ, posted escrow checks with the Township of Piscataway in the amount of \$4,500.00 and \$1000.00, regarding Zoning Board Application #13-ZB-09/10V for Block 5501, Lot 11.03 (15 Seeley Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated October 4, 2018 and a Memorandum from the Township Supervisor of Planning dated January 29, 2019, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$3,233.33, to CIP Conference Center Inc.,

Piscataway, NJ; and

WHEREAS, on June 7, 2017 and January 8, 2018, The Ullrich Law Firm, LLC, Roselle Park, NJ, posted escrow checks on behalf of International Laundry Service, LLC, Dunellen, NJ, with the Township of Piscataway in the amounts of \$1,500.00 and \$500.00, regarding Zoning Board Application #17-ZB-19V for Block 811, Lot 25.01 (178 10th Street); and

WHEREAS, pursuant to a Request for Release of Funds dated January 30, 2019 and a Memorandum from the Township Supervisor of Planning dated February 4, 2019, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$1,143.97, to The Ullrich Law Firm, LLC, Roselle Park, 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 release unexpended escrow fees to Portland Properties, LLC, Scotch Plains, NJ, in the amount of \$1,813.25, regarding Zoning Board Application #18-ZB-53V; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to CIP Conference Center Inc., Piscataway, NJ, in the amount of \$3,233.33, regarding Zoning Board Application #13-ZB-09/10V.

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to The Ullrich Law Firm, LLC, Roselle Park, NJ, in the amount of \$1,143.97, regarding Zoning Board Application #17-ZB-19V.

RESOLUTION #19-113

WHEREAS, on February 7, 2019, the Township of Piscataway received bids for Tree and Stump Removal ("Project"); and

WHEREAS, the Township Assistant Director of Public Works reviewed the bids and recommended awarding a two (2) year contract to M&A Tree Service, Inc., Somerville, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$282,500.00; and

WHEREAS, funds are available pursuant to certification # B-2019-003;

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 two (2) year contract for Tree and Stump Removal to M&A Tree Service, Inc., Somerville, NJ, for a total cost not to exceed \$282,500.00, subject to all bid specifications and contract documents.

RESOLUTION #19-114

WHEREAS, PTO Knollwood Inc., Piscataway, NJ has filed Application No. RA 1389 with the Township of Piscataway for a Raffle License to conduct an On-Premise Tricky Tray Raffle on March 15, 2019, at Knollwood Elementary School, 333 Willow Avenue, Piscataway, NJ 08854; and

WHEREAS, PTO Knollwood Inc., Piscataway, NJ has filed Application No. RA 1390 with the Township of Piscataway for a Raffle License to conduct an On-Premise 50/50 Raffle on March 15, 2019, at Knollwood Elementary School, 333 Willow Avenue, Piscataway, NJ 08854; and

WHEREAS, the Township Municipal Clerk has reviewed the applications and recommends that the applications for Raffle Licenses by PTO Knollwood Inc., 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 1389 and issue a Raffle License to PTO Knollwood Inc, Piscataway, NJ, to conduct an On-Premise Tricky Tray Raffle on March 15, 2019, at Knollwood Elementary School, 333 Willow Avenue, Piscataway, NJ 08854 and to accept Application No. RA 1390 and issue a Raffle License to PTO Knollwood Inc., Piscataway, NJ to conduct an On-Premise 50/50 Raffle on March 15, 2019, at Knollwood Elementary School, 333 Willow Avenue, Piscataway, NJ 08854 and.

RESOLUTION #19-115

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

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
3301	1.03	C0184	JAYASWAL, SONIKA 184 Sunshine Dr	2019	3795.21	PD BY BANK & H/O
2805	7.01		PATEL, KALPESH 179 Middlesex Ave	2019	2499.50	PD BY BANK & TITLE CO
1922	11.01		BWPNJ1 187 Hamilton Blvd	2019	1514.69	PD BY BANK & OWNER
3101	16.01	C0212	CHEUNG, JANET 212 Vasser Dr	2019	1239.52	PD BY BANK & OWNER
8801	427	C0368	BRAHMANDAM, P 368 Draco Rd	2019	2000.46	PD BY BANK & OWNER
210	116.01		VASQUEZ, ROBERT 318 Rock Ave	2019	1324.00	PD BY BANK & TITLE CO
3101	16.01	C0334	KUTER, MICHAEL 334 Bowler Ct	2019	1555.09	PD BY BANK & TITLE CO

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 #19-116

WHEREAS, the Township of Piscataway requires Professional Engineering & Surveying Services in regard to the Cedarwood Drive Stormwater Rehabilitation Project (the "Project"); and

WHEREAS, Maser Consulting P.A., has submitted a proposal dated January 31, 2019, for Engineering and Surveying Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$37,250.00; and

WHEREAS, Maser Consulting P.A., was previously qualified under the Fair and Open Process to provide professional services for Engineering Services – Engineering Special Projects by the Township of Piscataway for 2019; and

WHEREAS, there is funding available pursuant to certification # R-2019-0032;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Maser Consulting P.A., to provide Professional Engineering & Surveying Services in regard to the Cedarwood Drive Stormwater Rehabilitation Project, at the rates set forth in said Proposal, with such services not to exceed \$37,250.00 in cost.

RESOLUTION #19-117

WHEREAS, Cumming Construction Management, Inc, was awarded a contract for Construction Management Services in regard to the Community and Cultural Arts Center Contract ("Project"); and

WHEREAS, additional work is required for the project that was not included in the original scope of work outlined by the Township of Piscataway and not anticipated in Cumming Construction Management, Inc.'s proposal to the Township for said Project; and

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

WHEREAS, Cumming Construction Management, Inc. merged with Lehrer, LLC to form Lehrer Cumming; and

WHEREAS, the Business Administrator has reviewed the contract amendment request from Lehrer Cumming dated 2/6/19, a copy of which is attached hereto and made a part hereof, recommends approval of same; and

WHEREAS, there is funding available pursuant to certification # R-2018-0088-01;

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 with Lehrer Cumming from \$627,252.00 to \$671,252.00, an increase of not to exceed \$44,000.00, due to unanticipated work required for Inspection Services for the Community and Cultural Arts Center Contract, subject to all bid specifications and contract documents.

RESOLUTION #19-118

WHEREAS, the Township of Piscataway is in need of a 2019 Ford F350 Pickup Truck with Plow and Salt Spreader; and

WHEREAS, the Director of Public Works recommends awarding a contract for a 2019 Ford F350 Pickup Truck with Plow and Salt Spreader through New Jersey State Contract T2100, #A88726 to Winner Ford, Cherry Hill, NJ, in the amount not to exceed \$41,692.00; and

WHEREAS, funds are available pursuant to certification # R-2019-0050;

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 a 2019 Ford F350 Pickup Truck with Plow and Salt Spreader through New Jersey State Contract T2100, #A88726 to Winner Ford, Cherry Hill, NJ, in the amount not to exceed \$41,692.00.

RESOLUTION #19-119

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of Industrial/MRO Supplies and Equipment; and

WHEREAS, the Assistant Director of Public Works recommends awarding a contract for Industrial/MRO Supplies and Equipment under State Contract M0002 12-R-22299, Contract #79875 to WW Grainger, Inc., Cranford, NJ in the amount not to exceed \$25,000.00; and

WHEREAS, funds are available pursuant to certification # R-2019-0052;

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 Industrial/MRO Supplies and Equipment with WW Grainger, Inc., South Plainfield, NJ for a total cost not to exceed \$25,000.00, through New Jersey State Contract M0002 12-R-22299, Contract #79875, subject to all bid specifications and contract documents.

RESOLUTION #19-120

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of OEM Automotive Parts and Accessories for Light Duty Vehicles; and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract for OEM Automotive Parts for Light Duty Vehicles under New Jersey State Contract T2760_11-x-21682, Contract #79167 to Route 23 Auto Mall, LLC, Butler, New Jersey, in the amount not to exceed \$55,000.00; and

WHEREAS, funds are available pursuant to certification # R-2019-0049;

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 OEM Automotive Parts for Light Duty Vehicles under New Jersey State Contract T2760_11-x-21682, Contract #79167 to Route 23 Auto Mall, LLC, Butler, New Jersey, in the amount not to exceed \$55,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-121

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of Parts and Repairs for Road Maintenance Equipment; and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract for Parts and Repairs for Road Maintenance Equipment under New Jersey State Contract T2188_14-x-23107, Contract #85846 to Foley Incorporated, Piscataway, New Jersey, in the amount not to exceed \$60,000.00; and

WHEREAS, funds are available pursuant to certification # R-2019-0030;

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 Parts and Repairs for Road Maintenance Equipment under New Jersey State Contract T2188_14-x-23107, Contract #85846 to Foley Incorporated, Piscataway, New Jersey, in the amount not to exceed \$60,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-122

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of Automotive Parts for Heavy Duty Vehicles (Class 5 Or Higher, Over 15,000 LB GVWR); and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract for Automotive Parts for Heavy Duty Vehicles (Class 5 Or Higher, Over 15,000 LB GVWR) under New Jersey State Contract T2085_17-x-23842, Contract #42074 to Campbell Freightliner, LLC., South Brunswick, New Jersey, in the amount not to exceed \$25,000.00; and

WHEREAS, funds are available pursuant to certification # R-2019-0031;

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 Automotive Parts for Heavy Duty Vehicles (Class 5 Or Higher, Over 15,000 LB GVWR) under New Jersey State Contract T2085_17-x-23842, Contract #42074 to Campbell Freightliner, LLC., South Brunswick, New Jersey, in the amount not to exceed \$25,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-123

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of 2019 Plumbing Services and Material; and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract for 2019 Plumbing Services and Material through Educational Services Commission of New Jersey under ESCNJ COOP #65MCESCCPS, Contract 16/17-19 to Magic Touch Construction Co, Inc., Keyport, NJ, in the amount not to exceed \$22,000.00; 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, funds are available pursuant to certification # R-2019-0034;

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 2019 Plumbing Services and Material through Educational Services Commission of New Jersey under ESCNJ COOP #65MCESCCPS, Contract 16/17-19 to Magic Touch Construction Co, Inc., Keyport, NJ, in the amount not to exceed \$22,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-124

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of tires, tubes and services; and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract for 2019 Tires, Tubes and Services under New Jersey State Contract M8000 13-r-22770, Contract #82527 & 82528 to Custom Bandag, Linden, NJ, in the amount not to exceed \$55,000.00; and

WHEREAS, funds are available pursuant to certification # R-2019-0048;

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 2019 Tires, Tubes and Services from Custom Bandag, Linden, NJ under New Jersey State Contract M8000 13-r-22770, Contract #82527 & 82528, in the amount not to exceed \$55,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-125

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of 2019 Custodial Supplies; and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract for 2019 Custodial Supplies through Educational Services Commission of NJ Contract #ESCNJ 17/18-47 #MRESC Spruce Industries, Inc., Rahway, NJ, in the amount not to exceed \$22,000.00; 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, funds are available pursuant to certification # R-2019-0047;

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 2019 Custodial Supplies through Educational Services Commission of NJ Contract #ESCNJ 17/18-47 #MRESC Spruce Industries,

Inc., Rahway, NJ, in the amount not to exceed \$22,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-126

WHEREAS, the following party overpaid taxes and is requesting a 1/2 refund and 1/2 application of same for the year and amount as listed below.

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
9001	56		W Kenyon & Sons Inc 90 Ethel Rd W	2016	5421.68	Tax Court Judgment
9001	56		W Kenyon & Sons Inc 90 Ethel Rd W	2017	5522.68	Tax Court Judgment
9001	56		W Kenyon & Sons Inc 90 Ethel Rd W	2018	5441.80	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 #19-127

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of Automotive Parts for Heavy Duty Vehicles (Class 5 Or Higher, Over 15,000 LB GVWR); and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract for Automotive Parts for Heavy Duty Vehicles (Class 5 Or Higher, Over 15,000 LB GVWR) under New Jersey State Contract T2085_17-x-23842, Contract #42083 to Norcia Corp, North Brunswick, New Jersey, in the amount not to exceed \$17,500.00; and

WHEREAS, funds are available pursuant to certification # R-2019-0046;

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 Automotive Parts for Heavy Duty Vehicles (Class 5 Or Higher, Over 15,000 LB GVWR) to Norcia Corp, North Brunswick, NJ, through New Jersey State Contract T2085_17-x-23842, Contract #42083 in the amount not to exceed \$17,500.00, subject to all bid specifications and contract documents.

RESOLUTION #19-128

WHEREAS, the Township of Piscataway desires to purchase a 2019 Road Materials (hereinafter "Materials"); and

WHEREAS, the Township of Piscataway wishes to purchase said Road Materials from Weldon Materials, Inc, Westfield, NJ, in the amount of \$23,000.00 through the Union County Cooperative Contract #UCCP-15-2018; 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, funds are available pursuant to certification # R-2019-0045;

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 to purchase 2019 Road Materials from Weldon Materials, Inc, Westfield, NJ, in the amount of \$23,000.00 through the Union County Cooperative Contract #UCCP-15-2018.

RESOLUTION #19-129

WHEREAS, the Township of Piscataway (the "Township") is in need of Fitness Equipment for the Piscataway Community and Cultural Arts Center; and

WHEREAS, pursuant to a Recommendation to Award Contract, dated February 12, 2019, a copy of which is attached hereto and made a part hereof, the Township Director of Recreation recommends awarding a contract to Fitness Lifestyles, Asbury Park, NJ, for the purchase of said Fitness Equipment for the Piscataway Community and Cultural Arts Center, in the amount not to exceed \$311,457.13 through Educational Services Commission of NJ ("ESCNJ") Contract #17/18-31; 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, funds are available pursuant to certification # R-2019-0044;

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 to purchase Fitness Equipment for the Piscataway Community and Cultural Arts Center from Fitness Lifestyles, Asbury Park, NJ, in the amount of \$311,457.13 through ESCNJ Contract #17/18-31.

RESOLUTION #19-130

WHEREAS, the Township of Piscataway in the County of Middlesex, New Jersey (the "Township") and Piscataway Building IV Urban Renewal LLC, a New Jersey limited liability company (the "Entity") entered in to a Redevelopment Agreement dated as of August 16, 2018 (the "Redevelopment Agreement") and a Financial Agreement dated August 21, 2018 (the "Financial Agreement") in connection with the redevelopment of certain property known and designated on the Tax Map of the Township as Block 3502, Lot 6.06 (the "Property"); and

WHEREAS, pursuant to the Redevelopment Agreement, the Entity has entered into a Special Assessment Agreement dated as of November 5, 2018 (the "Assessment Agreement") in accordance with the terms of the Redevelopment Agreement; and

WHEREAS, Section 9.01 of the Financial Agreement provides that the Township will consent to the transfer of the benefits and obligations set forth in the Financial Agreement from the Entity to another qualified urban renewal entity (the "Assignee Entity") upon the satisfaction of the following conditions: (a) the Assignee Entity does not own any other Project subject to long term tax exemption at the time of transfer; (b) the Assignee Entity is formed and eligible to operate under the Long Term Tax Exemption Law of 1992, as amended and supplemented, *N.J.S.A. 40A:20-1, et seq.* (the "Long Term Tax Exemption Law"); (c) the Entity is not then in default of the Financial Agreement or in violation of applicable law; (d) the Entity's obligations under the Financial Agreement are fully assumed by the Assignee Entity in a duly executed written instrument or document satisfactory to Township; (e) the Assignee Entity abides by all terms and conditions of the Financial Agreement including, without limitation, the filing of an application pursuant to *N.J.S.A. 40A:20-8*; and

WHEREAS, the Entity has notified the Township of its intent to transfer the Property to KISS Logistics Urban Renewal, LLC, a New Jersey limited liability company (the "Assignee"), has made application to the Township in accordance with Section 9.01 of the Financial Agreement, and has provided a draft assignment and assumption agreement (the "Assignment and Assumption Agreement"), a copy of which is attached hereto as Exhibit A and has requested that the Township consent to such transfer of the benefits and obligations of the Financial

Agreement and the Assessment Agreement to the Assignee and to execute the Assignment and Assumption Agreement to confirm such consent; and

WHEREAS, the Township and its advisors have reviewed the Assignment and Assumption Agreement and have concluded that upon the execution of the same, all conditions to transfer set forth in the Financial Agreement will have been satisfied; and

WHEREAS, the Assignee Entity has represented to the Township that the Assignee Entity is formed and eligible to operate under the Long-Term Tax Exemption Law and that Assignee Entity does not own any other project subject to long term tax exemption at the time of transfer, and that Assignee Entity will promptly execute and deliver the Assignment and Assumption Agreement which is attached hereto as Exhibit A;

WHEREAS, the Entity has represented that it is not in default of the Financial Agreement or in violation of applicable law and that Entity will promptly execute and deliver the Assignment and Assumption Agreement which is attached as Exhibit A; and

WHEREAS, the Township desires to evidence its consent to the proposed transfer of the benefits and obligations set forth in the Financial Agreement and the Assessment Agreement from the Entity to the Assignee, which consent is conditioned on the accuracy of the aforesaid representations by the Entity and the Assignee Entity.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Piscataway (the "Council") that:

(1) The Council hereby consents to the proposed transfer of the Financial Agreement and the Assessment Agreement, and the benefits and obligations set forth therein, from the Entity to the Assignee, pursuant to the terms of the Assignment and Assumption Agreement, subject to the accuracy of the aforesaid representations made by the Entity and the Assignee Entity.

(2) The Council hereby authorizes and directs the Mayor of the Township of Piscataway to execute any document or writing or to make such representations, on behalf of the municipality, which may be necessary to further evidence or acknowledge the Township's consent.

(3) The Financial Agreement and the Assessment Agreement remain in full force and effect and this consent shall have no impact on the validity or enforceability of either the Financial Agreement or the Assessment Agreement.

(4) This resolution shall take effect immediately.

RESOLUTION #19-131

WHEREAS, the Housing and Community Development Advisory Committee of the Township of Piscataway held a public hearing at the Piscataway Township Municipal Building on February 12, 2019; and

WHEREAS, the Housing and Community Development Advisory Committee has recommended to the Township Council of the Township of Piscataway that Housing and Community Development funds to be received by the Township of Piscataway for 2019 be used in the following manner:

- Park improvements in target areas (\$270,325.00); and

WHEREAS, the Township Council wishes to concur in the said recommendations and to submit same to the Middlesex County Housing and Community Development Committee;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the above recommendations be approved and adopted; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Middlesex County Housing and Community Development Committee.

RESOLUTION #19-132

WHEREAS, the Mayor of the Township of Piscataway has made the following recommendations for appointment to the **Senior Citizens Housing Board of Trustees** for the terms indicated, subject to the advice and consent of the Township Council of the Township of Piscataway:

Marilyn O'Day, Council Representative, to fill an expired term commencing February 26, 2019 and terminating December 31, 2020; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township Council does hereby extend its advice and consent to the above appointment to the **Senior Citizens Housing Board of Trustees** for the term specified.

RESOLUTION #19-133

WHEREAS, the Mayor of the Township of Piscataway has made the following recommendation for appointment to the **Property Maintenance Board of Appeals** for the terms indicated, subject to the advice and consent of the Township Council of the Township of Piscataway:

Joanna Drennan, to fill an expired term commencing February 26, 2019, and expiring December 31, 2019; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township Council does hereby extend its advice and consent to the above appointment to the **Property Maintenance Board of Appeals** for the term specified.

RESOLUTION #19-134

WHEREAS, on February 21, 2019, the Township of Piscataway received one bid for the 2019 Fourth of July Fireworks; and

WHEREAS, the bid did not include a bid bond and therefore must be rejected; 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 reject the bid received and re-advertise a bid request for 2019 Fourth of July Fireworks.

The following are Disbursements for the month of January 2019.
Continued on next page

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Mr. Bullard stated Pop Warner Football banquet went well.
Council and Mayor thanked volunteers for efforts on house fire last night.

Councilwoman McCullum arrived at 7:34pm

Mrs. McCullum states census was done and Piscataway is the #1 town in Middlesex county, and #7 in the state for diversity.

OPEN TO PUBLIC:

David Akins, 39 Ambrose Valley Ln, looking for clarification on item G.
Staci Berger, Ellis Parkway, thanked volunteer firemen again. Asked about fee structure for community center.

There being no further business to come before the council, the meeting was adjourned at 7:40 pm on motion of Mrs. Lombardi, seconded by Mr. Shah, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

Frank Uhrin
Council President