

March 5, 2019

A Regular Meeting of the Piscataway Township Council was held on March 5, 2019 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by the Council President, Frank Uhrin, at 7:30pm.

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 vote, there were present: Messrs. Bullard, Cahill, Cahn, Lombardi, McCullum, Shah, and Uhrin.

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 Deputy Clerk read for FIRST READING the following ORDINANCE: AN ORDINANCE ENTITLED: CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Shah, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: AN ORDINANCE ENTITLED: CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) 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 9th day of April, 2019.

BE IT FURTHER RESOLVED that a copy of this Ordinance shall be posted in at least two public places with 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, Cahn, Lombardi, Shah, McCullum, and Uhrin answered yes.

The Deputy Clerk read for SECOND READING the following ORDINANCE: AN ORDINANCE VACATING ALL OF THE RIGHT, TITLE AND INTEREST OF TOWNSHIP OF PISCATAWAY OF A PORTION OF AN ACCESS ROAD THROUGH BLOCK 5101, LOT 4.02 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, EXTENDING A MAXIMUM OF 880.90 FEET

WHEREAS, the governing body of the Township of Piscataway has been requested to vacate all the right, title and interest of the Township in a portion of an existing access road through a portion of Block 5101, Lot 4.02; and

WHEREAS, the portion of the existing access road to be vacated is an irregularly shaped area beginning at a point 1,719.15 feet easterly of a point being common to the northeasterly line of Tax Lot 4.02, Block 5101 and the westerly end of the fifty (50) foot wide access road, and containing a total area of 43,357 square feet (0.9953 acre) as described in the metes and bounds description and map attached hereto as Exhibits A and B respectively; and

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

BE IT THEREFORE 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 the above-referenced portion of the access road running through Lot 4.02 in Block 5101, are hereby extinguished and vacated; and
2. 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 affected by this Ordinance insofar as it may be ascertained. Said notices shall be made by the Township Clerk to the owner of Block 5101, Lot 4.02 and the State of New Jersey Department of Transportation as owner of Highway Route No. 287; and
3. 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 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
4. The Mayor and Council declare this access road and right-of-way to be surplus and not needed for public use; and
5. 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
6. 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.

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: AN ORDINANCE VACATING ALL OF THE RIGHT, TITLE AND INTEREST OF TOWNSHIP OF PISCATAWAY OF A PORTION OF AN ACCESS ROAD THROUGH BLOCK 5101, LOT 4.02 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, EXTENDING A MAXIMUM OF 880.90 FEET was introduced on the 12th day of February, 2019 and had passed the first reading and was published on the 15th day of February, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on March 5, 2019, 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. 19-06.

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

The Deputy Clerk read for Second READING the following ORDINANCE TO AUTHORIZE FILING OF LEGAL PROCEEDINGS FOR THE ACQUISITION OF CERTAIN PROPERTY ALONG RIVER ROAD, IDENTIFIED AS BLOCK 11801, LOT 4.01 FOR PUBLIC PURPOSE PURSUANT TO N.J.S.A. 20:3-1, ET SEQ., EXECUTE

AND FILE ANY AND ALL RELATED DOCUMENTS AND AFFIDAVITS RELATED THERETO, AND TO FILE A DECLARATION OF TAKING

WHEREAS, the Township of Piscataway (the "Township") wishes to acquire a certain property along River Road for public purpose; and

WHEREAS, the property known as Block 11801, Lot 4.01 (the "Property") of the Tax Map of the Township of Piscataway is desired by the Township to be used as an expansion of a public park known as Riverside Park; and

WHEREAS, in addition, this Property is desired for purposes of running a gravity-fed sewer main line to assist with sewage runoff in the area of the Township; and

WHEREAS, pursuant to Ordinance #15-42, the Township was authorized to negotiate and acquire the Property; and

WHEREAS, the Township of Piscataway (the "Township") has engaged in good faith negotiations with the owner of a particular parcel along River Road; and

WHEREAS, these negotiations have led to an impasse which has prevented the Township from acquiring the Property ; and

WHEREAS, the Township wishes to exercise its rights pursuant to N.J.S.A. 20:3-1 et seq.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that legal proceedings are authorized to be commenced to acquire the Property using the process approved in N.J.S.A. 20:3-1 et seq.

BE IT FURTHER RESOLVED by the Township Council that the Mayor of the Township of Piscataway is duly authorized to execute any and all documents and affidavits related to the legal proceedings commenced in relation to acquiring the Property.

BE IT FURTHER RESOLVED that the Township Council of the Township of Piscataway authorizes the filing of a Declaration of Taking in relation to acquiring the Property as required under the applicable statute.

BE IT FURTHER RESOLVED that the Township Council of the Township of Piscataway authorizes a deposit of the sum of \$355,000 with the Clerk of Court as a security related to the acquisition of the Property as required under the applicable statute.

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Shah, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: ORDINANCE TO AUTHORIZE FILING OF LEGAL PROCEEDINGS FOR THE ACQUISITION OF CERTAIN PROPERTY ALONG RIVER ROAD, IDENTIFIED AS BLOCK 11801, LOT 4.01 FOR PUBLIC PURPOSE PURSUANT TO N.J.S.A. 20:3-1, ET SEQ., EXECUTE AND FILE ANY AND ALL RELATED DOCUMENTS AND AFFIDAVITS RELATED THERETO, AND TO FILE A DECLARATION OF TAKING was introduced on the 12th day of February, 2019 and had passed the first reading and was published on the 15th day of February, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on March 5, 2019, 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. 19-07.

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

OPEN TO THE PUBLIC FOR ORDINANCE 19-07

Staci Berger, Ellis Parkway, inquired where on River Road this property is located.

Mr. Cahn answered by saying 1126 River Road.

Mrs. Berger asked what is going to happen to the property after this Ordinance is passed.

Mr. Cahn stated that it will most likely be demolished and used as open space and the area will also be needed for a new gravity sewer line that is being installed.

RESOLUTION #19-135

RESOLUTION offered by Mr. Bullard, 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 April 10, 2018 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

1. CONSENT AGENDA:

- a. RESOLUTION – Approving Utilization of Three-Year Average Method in Computing the Reserve for Uncollected Taxes
- b. RESOLUTION – Authorizing Award of Contract through Somerset County Co-Op – CC-0113-18 – Automotive and Light Duty Trucks Parts – D & B Auto – Not to Exceed \$35,000
- c. RESOLUTION – Authorizing Award of Contract through Somerset County Co-Op – CC-0029-18 – Collision Repairs and Vehicle Painting – Ideal Auto Body – Not to Exceed \$48,000
- d. RESOLUTION – Authorizing Award of Contract through New Jersey State Contract - #84205 – Catch Basin Castings, Inlet, and Manholes – Campbell Foundry Co. - Not to Exceed \$30,000
- e. RESOLUTION – Authorizing Award of Professional Architectural Services Contract – Police Station Interior Renovations – DMR Architects – Not to Exceed \$9,800
- f. RESOLUTION – Authorizing Award of Contract through New Jersey State Contract - #40305 – Traffic Signals, Poles, Controls, Electrical Equipment, and LED Devices – Signal Control Products – Not to Exceed \$80,000
- g. RESOLUTION – Authorizing Award of ESCNJ Contract - # 16/17-54 GC3 – DPW Window Replacement – Murray Paving & Concrete – Not to Exceed \$150,711.30
- h. RESOLUTION – Authorizing Award of Contract through Somerset County Co-Op - #CC-0042-18 – Pavement Marking and Stripping – Denville Line Painting, Inc. – Not to Exceed \$27,000
- i. RESOLUTION – Authorizing Award of Contract through New Jersey State Contract - # 43894 – Walk-In Building Supplies – Home Depot Inc. – Not to Exceed \$75,000
- j. RESOLUTION – Authorizing Change Order #2 – Piscataway Municipal Building HVAC Renovation – Hanna’s Mechanical Contractors Inc. - Not to Exceed \$2,760
- k. RESOLUTION – Authorizing Change Order #3 – Piscataway Municipal Building HVAC Renovation – Hanna’s Mechanical Contractors Inc. – Decrease of \$88,000
- l. RESOLUTION – Authorizing Award of Contract through New Jersey State Contract - #M8001 – Walk-In Building Supplies – Lowes Home Centers LLC – Not to Exceed \$25,000
- m. RESOLUTION – Authorizing Refund of Variance Fee – Michael and Jade McDermott - \$85.00
- n. RESOLUTION – Authorizing Award of Bid – Various Playground Equipment Replacements – PlayPower LT Farmington Inc. – Not to Exceed \$977,088.94
- o. RESOLUTION – Authorizing Award of Bid – Replacement of Existing Water Service Connections – T.R. Weniger Inc. – Not to Exceed \$66,300
- p. RESOLUTION – Authorizing Award of Bid – 2019 Recreation Equipment and Uniforms – Metuchen Center Inc. – Not to Exceed \$68,020.47
- q. RESOLUTION – Authorizing Award of Contract through New Jersey State Contract - #18-Fleet-00285 – Park/Playground Benches and Litter Receptacles – PlayPower LT Farmington, Inc. – Not to Exceed \$54,297.05
- r. RESOLUTION – Authorizing Tax Appeal Settlement – NJMA Centennial / American Standard – Block 4002, Lot 2.01 – 865 Centennial Ave
- s. RESOLUTION – Authorizing Change Order #3 – Piscataway DPW Building HVAC Renovation – AMCO Enterprises Inc. - Not to Exceed \$57,854.76
- t. RESOLUTION – Authorizing Change Order #1- Exterior Repairs Historic Metlar-Bodine House – George Koustas Painting – Not to Exceed \$4,400

- u. RESOLUTION – Authorizing Affordability Assistance Grant – 7000 Avalon Way Unit # 7132.
- v. RESOLUTION – Authorizing Affordability Assistance Grant – 7000 Avalon Way Unit # 5205.
- w. RESOLUTION – Authorizing Affordability Assistance Grant – 7000 Avalon Way Unit #5307.
- x. RESOLUTION – Authorizing Closeout Change Order and Final Payment Estimate No. 4 – Ecological Park Building Demolition – IBN Construction Corp. – Decrease of \$372,801.66.
- y. RESOLUTION – Authorizing Professional Consulting Services – CME Associates – Municipal Complex Parking Lot Improvements - Not to Exceed \$134,730 & Construction Services – Not to Exceed \$122,732
- z. RESOLUTION – Appointment of Joan Stamiles as an Advisor – Senior Citizen Advisory Commission – Term Ending 12/31/19
- aa. RESOLUTION – Accepting Community Development Block Grant - Middlesex County - Park Improvement Projects - \$50,000

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 March 5, 2019 Regular meeting and adopted by separate vote.

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

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

RESOLUTION #19-136

WHEREAS, the State of New Jersey, Division of Local Government Services requires a resolution by Municipalities that desire to compute their Reserve for Uncollected Taxes under the alternative three-year average method as provided under NJSA 40A:4-41(c); and

WHEREAS, it is beneficial to the Township to compute the CY 2019 Reserve for Uncollected Taxes appropriation under the three year average method; and

WHEREAS, the actual percentages of tax collection for 2016, 2017 and 2018 were 98.97%, 99.06%, and 98.80% respectively and the average tax collection percentage over those three years is 98.94%;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, County of Middlesex and State of New Jersey, that it approves the utilization of the three-year average method of 98.94% in computing the Township's CY 2019 Reserve for Uncollected Taxes budget appropriation;

AND BE IT FURTHER RESOLVED that a certified copy of this resolution is to be forwarded to the Director of the Division of Local Government Services.

RESOLUTION #19-137

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of 2019 Automotive and Light Duty Truck Parts; 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 Automotive and Light Duty Truck Parts through Somerset County COOP Contract #CC-0113-18 to D&B Auto, Middlesex, NJ, in the amount not to exceed \$35,000.00; 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-2019-0043; 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 award a contract for 2019 Automotive and Light Duty Truck Parts through Somerset County COOP Contract #CC-0113-18 to D&B Auto, Middlesex, NJ, in the amount not to exceed \$35,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-138

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of 2019 Collision Repairs and Vehicle Painting; 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 Collision Repairs and Vehicle Painting through Somerset County COOP Contract #CC-0029-18 to Ideal Auto Body, Bridgewater, NJ, in the amount not to exceed \$48,000.00; 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-2019-0042; 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 award a contract for 2019 Collision Repairs and Vehicle Painting through Somerset County COOP Contract #CC-0029-18 to Ideal Auto Body, Bridgewater, NJ, in the amount not to exceed \$48,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-139

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of Catch Basin Castings, Inlets and Manholes; 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 Catch Basin Castings, Inlets and Manholes through New Jersey State Contract T0148 14-x-22999 Contract #84205, State Contract expires September 30, 2019, in the amount not to exceed \$30,000.00; and

WHEREAS, funds are available pursuant to certification #R-2019-041; 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 award a contract for Catch Basin Castings, Inlets and Manholes through New Jersey State Contract T0148 14-x-22999 Contract #84205, State Contract expires September 30, 2019, in the amount not to exceed \$30,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-140

WHEREAS, the Township of Piscataway requires Professional Architectural Services in regard to the Police Station Interior Renovations Project (the "Project"); and

WHEREAS, DMR Architects, has submitted a proposal dated February 12, 2019, for Professional Architectural Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$9,800.00; and

WHEREAS, DMR Architects, was previously qualified under the Fair and Open Process to provide professional services for Architectural Services – Special Projects by the Township of Piscataway for 2019; and

WHEREAS, there is funding available pursuant to certification #R-2019-0008; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize DMR Architects, to provide Professional Architectural Services in regard to the Police Station Interior Renovations Project, at the rates set forth in said Proposal, with such services not to exceed \$9,800.00 in cost.

RESOLUTION #19-141

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of 2019 Traffic Signals, Poles, Controls, Electrical Equipment and LED Devices; 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 Traffic Signals, Poles, Controls, Electrical

Equipment and LED Devices through New Jersey State Contract T1529_15-x-23605 Contract #40305, in the amount not to exceed \$80,000.00; and

WHEREAS, funds are available pursuant to certification #R-2019-0040; 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 award a contract for 2019 Traffic Signals, Poles, Controls, Electrical Equipment and LED Devices through New Jersey State Contract T1529_15-x-23605 Contract #40305, in the amount not to exceed \$80,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-142

WHEREAS, the Township of Piscataway (the "Township") is in need of Window Replacements at the DPW; and

WHEREAS, the Township Director of Public Works recommends awarding a contract for the Project through the Middlesex Regional Education Services Commission Bid #ESCNJ 16/17-54 GC3, NJ State Approved Co-op #65MCESCCPS to Murray Paving & Concrete, Hackensack, NJ, in the amount not to exceed \$150,711.30; 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-2019-0039; 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 enter into a contract with Murray Paving & Concrete, Hackensack, NJ, for Window Replacements at the DPW, in the amount not to exceed \$150,711.30, through the Middlesex Regional Education Services Commission Bid #ESCNJ 16/17-54 GC3, NJ State Approved Co-op #65MCESCCPS.

RESOLUTION #19-143

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of 2019 Pavement Marking and Striping; 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 Pavement Marking and Striping through Somerset County COOP Contract #CC-0042-18 to Denville Line Painting, Inc., Rockaway, NJ in the amount not to exceed \$27,000.00; 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-2019-0038; 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 award a contract for 2019 Pavement Marking and Striping through Somerset County COOP Contract #CC-0042-18 to Denville Line Painting, Inc., Rockaway, NJ in the amount not to exceed \$27,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-144

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of 2019 Walk-In Building 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 Walk-In Building Supplies through New Jersey State Contract M8001 10-x-20745 Contract #43894 to Home Depot, Inc., Atlanta, GA, in the amount not to exceed \$75,000.00; and

WHEREAS, funds are available pursuant to certification #R-2019-0037; 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 award a contract for 2019 Walk-In Building Supplies through New Jersey State Contract M8001 10-x-20745 Contract #43894 to Home Depot, Inc., Atlanta, GA, in the amount not to exceed \$75,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-145

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Hanna's Mechanical Contractors, Inc., Milltown, NJ for Piscataway Municipal Building HVAC Renovations (the "Project"), in an amount not to exceed \$1,180,000.00; and
WHEREAS, the Township previously approved a change order in the amount of \$2,700.00 for a final cost of \$1,182,700.00, a 0.23% increase; and
WHEREAS, additional work in the amount of \$2,760.00 is 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 Hanna's Mechanical Contractors, Inc. to the Township for the Project; and
WHEREAS, this change order would represent a \$2,760.00 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$1,185,460.00, a 0.46% 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 February 14, 2019 from the Assistant Director of Public Works, said Director recommends approving the Change Order Request No. 2; and
WHEREAS, funds are available pursuant to certification #C201801737; and
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the Project with Hanna's Mechanical Contractors, Inc., Milltown, NJ from \$1,182,700.00 to a final total not to exceed \$1,185,460.00 and execute the enclosed Contract Change Order in the amount of \$2,760.00, subject to all bid specifications and contract documents.

RESOLUTION #19-146

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Hanna's Mechanical Contractors, Inc., Milltown, NJ for Piscataway Municipal Building HVAC Renovations (the "Project"), in an amount not to exceed \$1,180,000.00; and
WHEREAS, the Township previously approved change orders in the amount of \$5,460.00 for a previous total cost of \$1,185,460.00, a .46% increase; and
WHEREAS, the contractor has given a credit to the Township as existing ceiling tiles in the hallway and office areas remain in good condition and did not need to be replaced; and
WHEREAS, this change order would represent a \$88,000.00 decrease in the total amount of the Project from the previous total for a final cost not to exceed \$1,097,460.00, a total decrease of 6.99% from the original contract amount; 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 January 24, 2019, from the Director of Public Works, said Director recommends approving the Change Order Request No. 3; and
WHEREAS, funds are available pursuant to certification #C201801737; and
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the Project with Hanna's Mechanical Contractors, Inc., Milltown, NJ from \$1,185,460.00 to a final total not to exceed \$1,097,460.00 and execute the enclosed Contract Change Order in the amount of \$88,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-147

WHEREAS, the Township of Piscataway is in need of Walk-in Building Supplies;
and
WHEREAS, Assistant Director of Public Works recommends awarding a contract

for Walk-In Building Supplies under NJ Start Contract, T# M8001, to Lowes Home Centers, LLC, Wilkesboro, NC in the amount not to exceed \$25,000.00; and

WHEREAS, funds are available pursuant to certification #R-2019-0036; 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 enter into a contract for Walk-in Building Supplies with Lowes Home Centers, LLC, Wilkesboro, NC for a total cost not to exceed \$25,000.00, through NJ Start Contract T# M8001.

RESOLUTION #19-148

WHEREAS, Michael & Jade McDermott of 514 Runyon Avenue, Piscataway, NJ made an application for a variance and submitted the required \$85.00 fee (Check #4957, Receipt #154568); and

WHEREAS, it was determined that a variance is not required; 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 refund a variance application fee to Michael & Jade McDermott of 514 Runyon Avenue, Piscataway, NJ, in the amount of \$85.00.

RESOLUTION #19-149

WHEREAS, the Township of Piscataway desires to purchase Various Playground Equipment Replacements for 2019 for Albert Street Park, Deborah Drive Tot-lot, New Market Park, and Suskin Park; and

WHEREAS, the Township of Piscataway wishes to purchase said playground equipment from PlayPower LT Farmington, Inc., Monett, MO, in the amounts of \$182,421.47 for Albert Street Park, \$183,062.33 for Deborah Drive Tot-lot, \$219,709.23 for New Market Park, and \$391,895.91 for Suskin Park, for a final total not to exceed \$977,088.94 through Sourcewell Contract # 030117-LTS; 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-2019-0051; 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 enter into a contract with PlayPower LT Farmington, Inc., Monett, MO to purchase Various Playground Equipment for 2019 in the amounts of \$182,421.47 for Albert Street Park, \$183,062.33 for Deborah Drive Tot-lot, \$219,709.23 for New Market Park, and \$391,895.91 for Suskin Park, for a final total not to exceed \$977,088.94, through Sourcewell Contract # 030117-LTS.

RESOLUTION #19-150

WHEREAS, on February 21, 2019, the Township of Piscataway (the "Township") received bids for the Replacement of Existing Water Service Connections in the Township (the "Project"); and

WHEREAS, the Township Assistant Director of Public Works reviewed the bids and recommended awarding a contract for the Project to T.R. Weniger Inc., Piscataway, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$66,300.00; and

WHEREAS, funds are available pursuant to certification #B-2019-006; 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 award a contract for the Replacement of Existing Water Service Connections in the Township to T.R. Weniger Inc., Piscataway, NJ, for a total cost not to exceed \$66,300.00, subject to all bid specifications and contract documents.

RESOLUTION #19-151

WHEREAS, on February 21, 2019, the Township of Piscataway received bids for Recreation Uniforms and Equipment for 2019; and

WHEREAS, the Director of the Piscataway Recreation Department reviewed the bids and recommended awarding a contract to Metuchen Center, Inc., Sayreville, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$68,020.47; and

WHEREAS, funds are available pursuant to certification #R-2019-0053; 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 award a contract for Recreation Uniforms and Equipment to Metuchen Center, Inc., Sayreville, NJ, for a total cost not to exceed \$68,020.47, subject to all bid specifications and contract documents.

RESOLUTION #19-152

WHEREAS, the Township of Piscataway is in need of Park/Playground Benches and Litter Receptacles (Albert St., Deborah Dr., New Market, and Suskin Parks); and

WHEREAS, the Township of Piscataway wishes to purchase said Park/Playground Benches and Litter Receptacles from PlayPower LT Farmington, Inc., Monet, MO, in the amount not to exceed \$54,297.05 through New Jersey State Contract #18-FLEET-00285-Little Tikes Commercial/PlayPower LT; and

WHEREAS, funds are available pursuant to certification #R-2019-0054; 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 enter into a contract to purchase Park/Playground Benches and Litter Receptacles (Albert St., Deborah Dr., New Market, and Suskin Parks) from PlayPower LT Farmington, Inc., Monett, MO, in the amount not to exceed \$54,297.05 through New Jersey State Contract #18-Fleet-00285-Little Tikes Commercial/PlayPower LT.

RESOLUTION #19-152

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

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

NJMA Centennial/American Standard

Block 4002, Lot 2.01
865 Centennial Ave

	<u>2015-2017</u> <u>Assessment</u>	<u>2015-2017 Proposed</u> <u>Settlement</u>	<u>2018</u> <u>Assessment</u>	<u>2018 Proposed</u> <u>Settlement</u>
Land	2,506,000	2,506,000	2,864,000	2,864,000
Improvements	<u>1,752,000</u>	<u>1,752,000</u>	<u>2,046,000</u>	<u>1,636,000</u>
Total	4,258,000	4,258,000	4,910,000	4,500,000

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

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

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

RESOLUTION #19-154

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to AMCO Enterprises, Inc., Kenilworth, NJ for the Department of Public Works Building HVAC Renovations (the "Project") in an amount not to exceed \$538,000.00; and

WHEREAS, the Township previously approved change orders in the amount of \$48,390.34 for a total cost of \$586,390.34, a 8.99% increase; and

WHEREAS, additional work in the amount of \$57,854.76 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 AMCO Enterprises, Inc.'s proposal to the Township for the Project; and

WHEREAS, the total increase from the original contract amount is \$106,245.10 for a final cost of \$644,245.10, a 19.75% 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 February 22, 2019, from the Director of Public Works, a copy of which is attached hereto and made a part hereof, said Director of Public Works recommends approving Change Order Request No. 3; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the Department of Public Works Building HVAC Renovations with AMCO Enterprises, Inc., Kenilworth, NJ from \$586,390.34 to a final total not to exceed \$644,245.10 and execute the enclosed Contract Change Order in the amount of \$57,854.76, subject to all bid specifications and contract documents.

RESOLUTION #19-155

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to George Koustas Painting, West Long Branch, NJ for Exterior Repairs at the Historic Metlar-Bodine House (the "Project"), in an amount not to exceed \$141,600.00; 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 the proposal from George Koustas Painting 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 \$4,400.00 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$146,000.00, a 3.11% 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 February 25, 2019, from the Director of Public Works, said Director recommends approving the Change Order Request No. 1; and

WHEREAS, funds are available pursuant to certification #201801551; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the Project with George Koustas Painting, West Long Branch, NJ from \$141,600.00 to a final total not to exceed \$146,000.00 and execute the enclosed Contract Change Order in the amount of \$4,400.00, subject to all bid specifications and contract documents.

RESOLUTION #19-156

WHEREAS, AVALON PISCATAWAY LLC / AVALON PISCATAWAY rents property located at 7000 Avalon Way, Unit No. 7132, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

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

WHEREAS, the Township is willing to extend a grant to the tenant in the amount of \$378.50, which covers half of the first month's rent; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit located at 7000 Avalon Way, Unit No. 7132, Piscataway, NJ.

RESOLUTION #19-157

WHEREAS, AVALON PISCATAWAY LLC / AVALON PISCATAWAY rents property located at 7000 Avalon Way, Unit No. 5205, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

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

WHEREAS, the Township is willing to extend a grant to the tenant in the amount of \$694.50, which covers half of the first month's rent; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit located at 7000 Avalon Way, Unit No. 5205, Piscataway, NJ.

RESOLUTION #19-158

WHEREAS, AVALON PISCATAWAY LLC / AVALON PISCATAWAY rents property located at 7000 Avalon Way, Unit No. 5307, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

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

WHEREAS, the Township is willing to extend a grant to the tenant in the amount of \$482.50, which covers half of the first month's rent; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit located at 7000 Avalon Way, Unit No. 5307, Piscataway, NJ.

RESOLUTION #19-159

WHEREAS, IBN Construction Corp., Newark NJ was previously awarded a contract for the Ecological Park Building Demolition Project (the "Project"), in the amount of \$665,884.00; and

WHEREAS, favorable conditions were encountered at the job site which resulted in the reduction of items originally included in the contract; and

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

WHEREAS, this change order would represent a \$372,801.66 decrease in the total amount of the Project from the original contract amount for a final total not to exceed \$293,082.34, a 55.99% decrease; and

WHEREAS, pursuant to a memorandum dated March 5, 2019 from the Township Director of Public Works, a copy of which is attached hereto and made a part hereof, all the work has been completed on said Project and said Township Director of Public Works recommends that the retainage, in the amount of \$9,838.80, be released to IBN Construction Corp., upon IBN Construction Corp. posting a two (2) year maintenance bond in the amount of \$43,962.35; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the Project with IBN Construction Corp., Newark, NJ from \$665,884.00 to a final total not to exceed \$293,082.34 and execute the enclosed Contract Change Order in the amount of -\$372,801.66, subject to all bid specifications and contract documents; and

BE IT FURTHER RESOLVED by the Township Council of the Township of Piscataway, that the Township hereby accepts the Project and that the appropriate municipal officials be and are hereby authorized to return retainage funds in regard to the Ecological Park Building Demolition Project to IBN Construction Corp., Newark NJ, in the amount of \$9,838.80, subject to IBN Construction Corp., posting a two (2) year maintenance bond in the amount of \$43,962.35.

RESOLUTION #19-160

WHEREAS, the Township of Piscataway requires Professional Engineering Consulting Services and Construction Management Services in regard to the Municipal Complex Parking Lot Improvements (the "Project"); and

WHEREAS, CME Associates has submitted a proposal dated February 25, 2019, for engineering services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$134,730.00 for the Consulting Services and \$122,732.00 for the Construction Management Services, for a final total not to exceed \$257,462.00; and

WHEREAS, CME Associates was previously qualified under the Fair and Open Process to provide professional services for both Engineering Services – Engineering Special Projects and Construction Management Services by the Township of Piscataway for 2019; and

WHEREAS, there is funding available pursuant to certification #R-2019-0056; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize CME Associates to provide Professional Engineering Services regard to the Municipal Complex Parking Lot Improvements, at the rates set forth in said Proposal, with such services not to exceed \$134,730.00 for the Consulting Services and \$122,732.00 for the Construction Management Services, for a final total not to exceed \$257,462.00.

RESOLUTION #19-161

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

Joan Stamile, as an Advisor, for a term of one (1) year commencing March 5, 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 appointments to the Senior Citizens Advisory Commission for the terms specified.

RESOLUTION #19-162

WHEREAS, the Township of Piscataway is a participating municipality in the Urban County designation formed with 19 municipalities within Middlesex County for the purpose of receiving federal funding from the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) program; and

WHEREAS, the Township of Piscataway has made application to the Middlesex County Division of Housing, Community Development, and Social Services for reallocated Community Development Block Grant (CDBG) funds; and

WHEREAS, Middlesex County has awarded the Township of Piscataway \$120,487.00 in reallocated CDBG funds for its Park Improvements project based on adherence to the timely expenditure and vouchering to Middlesex County of these funds as indicated on their submitted application; and

NOW, THEREFORE, BE IT RESOLVED that the Township of Piscataway accept the additional \$50,000 in reallocated CDBG funds from Middlesex County for its Park Improvements project and direct appropriate municipal staff to take necessary measures to complete the project and submit vouchers and required project documentation to Middlesex County based its submitted application; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Middlesex County Division of Housing, Community Development, and Social Services.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Jim Bullard commented that last Friday was the anniversary for Read Across America. He stated he was at Martin Luther King School and that while reading Dr. Seuss the kids were very engaged and he loved every minute of it.

Steve Cahn commented that long time resident Stephen Giordano who was a longtime resident and Democratic Committeeman had passed away recently and wanted to send condolences to his wife and family and felt that it was appropriate to honor him at the Council meeting.

Michele Lombardi commented further on the passing of Stephen Giordano and mentioned the 70 year long marriage he had with wife and extended her condolences and sympathies to the family and his wife.

Chanelle McCullum commented by extended her condolences as well to the Giordano family. Mrs. McCullum also wanted to thank the finance team for all the hard work that went into the budget this year.

Mayor Wahler commented by extending his condolences as well to the Giordano family. Mayor Wahler also commented that there is no increase in the tax rate this year which he mentioned is a good thing. Mayor Wahler wanted to remind everyone the budget meeting is in April and that the public can stop by the Clerks office and pick up a copy of the budget. Mayor Wahler also wanted to mention that Monday was the first day the truck ban was in effect on River Road and that Monday night 55 summonses were

issued and several dozen more today. Mayor Wahler wanted to remind the public and council that there will be a similar situation on North Randolphville Road. DPW and the Police department are working on sign placement and there will be a 30 day window before it goes into effect.

Rajvir Goomer commented that at the request of the Council and Police department there will be an Ordinance to increase the fines issued to drivers who violate the truck ban and that will be introduced at the next council meeting.

Mrs. Lombardi asked if the drivers were issued summons or warnings.

Mayor Wahler responded by saying they were summons since a 45 day grace period was given.

Mrs. Lombardi requested that they enforce later in the evening due to truck drivers disregarding the traffic signal on Hoes Lane West.

Mr. Uhrin commented by also expressing his condolences to Mary Giordano.

OPEN TO PUBLIC:

David Atkins, 39 Ambrose Valley Lane, in regards to item #7 Mr. Atkins wanted to know what percentage of the cap bank has changed.

Mr. Dacey responded by saying the bank has gone up and they will get the exact number to him at a later time.

Mr. Atkins wanted to know if eminent domain was used for item #9.

Mayor Wahler confirmed it was in order to install a sewer line.

Mr. Atkins wanted to know what month the township starts striping the streets.

Mayor Wahler responded by saying around May due to the mixture of the paint the streets have to be a certain temperature.

Herb Tarbus, 411 New Market Road, commented that Piscataway passed a resolution that registered for a program thru Sustainable Jersey. Mr. Tarbus wanted to know why certifications haven't been applied for thru the program. Discussion by Mayor and council.

Junior Romero, Food and Water Watch, wanted to invite everyone to the first public meeting on the Clean Air Piscataway Initiative. Mr. Romero indicated that the group has begun circulating a Falkner Act petition to implement for a clean energy ordinance.

Ann Bastin, 113 Fountain Avenue, wanted to personally urge members to come to the Food and Water Watch forum next week. Mrs. Bastin also wanted to urge the members to form a green team.

Stacey Berger, Ellis Parkway, wanted to know if the finance committee of the Council had met to discuss the budget and if there is a schedule for when the committee is going to meet in the future if members of the public wanted to make comments during those meetings. Discussion ensued.

Fred White, 607 Ellis Parkway, wanted to inquire on how the finance committee can hold a meeting that is not open to the public given Sunshine Laws. Mrs. Lombardi states that this is because there is no quorum at these meetings. Mr. Cahn states that typically 2 Council members are present at these meetings. Mr. Cahn also stated nothing is voted on at these meetings and that every law is followed however, making every meeting or discussion open to the public is not an effective way to run a government.

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 on motion of Mr. Bullard, seconded by Mr. Shah, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

Frank Uhrin
Council President