

May 14, 2019

A Regular Meeting of the Piscataway Township Council was held on May 14, 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, Lombardi, McCullum, Shah and Uhrin. Mr. Uhrin led the salute to the flag.

Comments from Administration and Council

Rajvir Goomer: Item Y added to consent agenda: Resolution in support of bills 3681 and 3670

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.

PUBLIC HEARING – CY2019 Municipal Budget

Mr. Uhrin opened the public hearing. There were no comments. Mr. Uhrin closed the public hearing.

Mr. Cahn stated for the record that a lot of hard work went into the budget and that the residents who attend meetings and complain there is no transparency have not attended any of the public hearings on the budget to comment.

Mrs. Cahill arrived at 7:36pm

Resolution #19-248

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

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of public hearing, if a resolution is passed, by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the approved budget, as advertised, has been posted in the Municipal Building, the local public library, and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these conditions have been met;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, in the County of Middlesex, State of New Jersey, that the budget shall be read by title only.

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

RESOLUTION

Be it Resolved by the TOWNSHIP COUNCIL of the TOWNSHIP of PISCATAWAY, County of MIDDLESEX that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a)\$	46,892,932.20	(Item 2 below) for municipal purposes, and (Item 3 below) for school purposes in Type I School District only (N.J.S. 18A:9-2) to be raised by taxation and,
(b)\$		

- (c)\$ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations. (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust
- (d)\$ Fund Levy (Sheet 38) Minimum
- (e)\$ 2,610,910.83 Library Levy

1. General Revenues

Surplus Anticipated	08-100	\$	10,150,000.00
Miscellaneous Revenues Anticipated	13-099	\$	16,296,969.89
Receipts from Delinquent Taxes	15-499	\$	900,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	\$	46,892,932.20

3. AMOUNT TO BE RAISED BY TAXATION FOR _SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:

Item 6, Sheet 41	07-195	\$	
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only			

4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR _SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:

Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$	
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5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY

	07-192	\$	2,610,910.83
Total Revenues	13-299	\$	76,850,782.92

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS

	xxxxxxxxx		xxxxxxxxxxxxxxxxx
Within "CAPS"	xxxxxxxxx		xxxxxxxxxxxxxxxxx
(a&b) Operations including Contingent	34-201	\$	45,662,477.64
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$	5,314,545.00
(g) Cash Deficit	46-885	\$	
Excluded from "CAPS"	xxxxxxxxx		xxxxxxxxxxxxxxxxx
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$	6,528,797.89
(c) Capital Improvements	44-999	\$	2,851,000.00
(d) Municipal Debt Service	45-999	\$	9,392,343.33
(e) Deferred Charges - Municipal	46-999	\$	5,228,875.85
(f) Judgements	37-480	\$	
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 &17.3)	29-405	\$	
(g) Cash Deficit	46-885	\$	
(k) For Local District School Purposes	29-410	\$	
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)	50-899	\$	1,872,743.21

6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)

	07-195	\$	
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The Clerk read for SECOND 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 XX (20) LAND SUBDIVISION. SECTION 509 PERFORMANCE GUARANTEE

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, that Chapter XX, Land Subdivision, Section 509, Performance Guarantee is hereby amended to read as follows:

20-509.1 No final subdivision plat or subdivision deed or final site plan drawings shall be signed by the appropriate municipal officials unless the developer has filed with the Township a performance guarantee assuring the installation and maintenance of all off-tract improvements which the Township is permitted to require from a developer pursuant to N.J.S.A. 40:55D-42, as presently enacted and as may be subsequently amended.

20-509.2 No final subdivision plat or subdivision deed or final site plan drawings shall be signed by the appropriate municipal officials unless the developer has filed with the Township a performance guarantee assuring the installation and maintenance of all on-tract improvements which the Township is committed to require pursuant to N.J.S.A. 40-55D-53(a)-(d), as presently enacted and as may be subsequently amended.

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

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

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

Mr. Uhrin opened the Meeting to the Public for Comments ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XX (20) LAND SUBDIVISION. SECTION 509 PERFORMANCE GUARANTEE

RESOLUTION offered by Mrs. Cahill, seconded by Mr. Cahn, ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XX (20) LAND SUBDIVISION. SECTION 509 PERFORMANCE GUARANTEE

was introduced on the 23rd day of April, 2019 and had passed the first reading and was published on the 26th day of April, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on May 14, 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. 19-14.

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

The Clerk read for FIRST READING the following ORDINANCE APPROVING A REDEVELOPMENT PLAN FOR BLOCK 5203, LOTS 1.01, 5.02, 16.01, 19.01, AND TRENT PLACE

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Cahn, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: ORDINANCE APPROVING A REDEVELOPMENT PLAN FOR BLOCK 5203, LOTS 1.01, 5.02, 16.01, 19.01, AND TRENT PLACE

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 6th day of June, 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, McCullum, Shah, and Uhrin answered yes.

RESOLUTION 19-249

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

WHEREAS, the Revised General Ordinances of the Township of Piscataway permit the adoption of Resolutions, Motions or Proclamations by the Township Council of the Township of Piscataway as part of the Consent Agenda, upon certain conditions; and

WHEREAS, each of the following Resolutions, Motions or Proclamations to be presented before the Township Council at its May 14, 2019 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Return of Cash Maintenance Bond:
 - Joseph Cavaliere – Block 813, Lot 10.02 – 521 Pelham Avenue
- b. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – 140 Centennial Ave. SPE – Block 6703, Lot 6.09 – 140 Centennial Avenue.
- c. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – Intellect Polaris Design LLC – Block 5801, Lot 11.01 – 20 Corporate Place South
- d. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – 24 W 96th St Realty Corp – Block 2707, Lot 16 – Begonia Court.
- e. RESOLUTION – Authorizing Refund of Overpayment of Taxes – Duplicate Payments – Various Blocks and Lots.
- f. RESOLUTION – Authorizing Award of Contract Under Bergen County Co-op #23823 – Bid #18-18.1 – 2019 Police Vehicles Emergency Lighting and Equipment Install – Island Tech Services, LLC – Not to Exceed \$36,295.00.
- g. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – Zheng Yuan Intl – Block 4601, Lot 11 – 255 Old New Brunswick Road.
- h. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – NJMA Centennial LLC – Block 4002, Lot 2.01 – 865 Centennial Avenue.
- i. RESOLUTION – Authorizing Return of Escrow: PSE&G – Block 5101, Lot 3.03 – 1221 Centennial Avenue.
- j. RESOLUTION – Authorizing Contract Amendment #2 – Construction Management Services - Piscataway Community and Cultural Arts Center – Cumming Construction Management, Inc. – Retaining Subconsultant AEL
- k. RESOLUTION – Authorizing Raffle License RA-1398 – BPOE Piscataway Lodge #2414 and Bingo License BA-275 – Sterling Village Socialites.
- l. RESOLUTION – Authorizing Return of Performance Surety and Cash Bonds: Vericon Construction Company, LLC – Block 8504, Lot 43.02 – 1327-1341 Stelton Road.
- m. RESOLUTION – Authorizing Return of Sterling Village Security Deposit: Genevieve Brady – Apt. 408
- n. RESOLUTION – Authorizing Award of Contract Through Somerset County Cooperative Purchasing Contract #CC-0045-18 – Gasoline Supply 87 Octane 2019-2020 – National Fuel Oil, Inc. - Not to Exceed \$200,000.00-CY2019 and \$125,000.00-CY2020.
- o. RESOLUTION – Authorizing Refund of Picnic Fees: Judith Canton - \$375.00.
- p. RESOLUTION – Authorizing Refund of Overpayment of Taxes – Various Blocks and Lots.

- q. RESOLUTION – Authorizing Tax Appeal Settlement: Piscataway HUH 2014, LLC – Stop & Shop Supermarket Co. – Block 5302, Lot 1.04 – 581 Stelton Road.
- r. RESOLUTION – Authorizing Award of Contract Through Sourcewell Cooperative Under NJPA Contract #121918-FTS – 2 Base Model FT-10 E Drop Deck Trailers - Dejana Truck and Utility Equipment – Not to Exceed \$18,376.08.
- s. RESOLUTION – Authorizing Change Order #1 – 2018 Road Reconstruction – Various Roads in the Township of Piscataway - Black Rock Enterprises, LLC – Not to Exceed \$75,000.00.
- t. RESOLUTION - Authorizing Release of Cash Bond:
 - Ashish Patel - Block 1509, Lot 30.01– 800 Eva Street.
- u. RESOLUTION – Authorizing Award of Contract - 2019 Wireless Communication Site Lease Agreement in the Township of Piscataway– New Cingular Wireless PCS, LLC – Lease Base Rent of \$27,000.00 Per Year (10 Years).
- v. MOTION – Accept Report of Clerk’s Account – April 2019.
- w. MOTION – Accept Report of the Division of Revenue – April 2019.
- x. MOTION – Receive and Enter into Minutes Disbursements for the Month of April 2019.
- y. RESOLUTION – Supporting Senate Bill No. S3670 – Requires Land Use Plan Element of Municipal Master Plan to Include Climate Change-Related Hazard Vulnerability Assessment.
- z. RESOLUTION – Supporting Senate Bill No. S3681 Requires, By Energy Year 2050, All Electric Power Sold in NJ by Each Electric Power Supplier and Basic Generation Service Provider to be from Zero-Carbon Sources.

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 May 14, 2019 Regular meeting and adopted by separate vote.

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

RESOLUTION #19-250

WHEREAS, Leonard Cavaliere, Warren, NJ, request the release of a Maintenance Cash Bond in the original amount of \$712.50, which was posted by Joseph Cavaliere with the Township of Piscataway on February 1, 2007 for Planning Board Application #84-PB-79/80V regarding improvements for Block 813 (F/Blk 96), Lot 10.02 (521 Pelham Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated April 29, 2019 and a letter from the Township Supervisor of Engineering dated April 29, 2019, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that the two year maintenance period has expired, all improvements required and covered have been satisfactorily installed, and recommends the release of the Maintenance Cash Bond; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release a Maintenance Cash Bond in the amount of \$712.50, to Joseph Cavaliere, Warren, NJ, regarding Planning Board Application #84-PB-79/80V.

RESOLUTION #19-251

WHEREAS, the following party overpaid taxes and is requesting a 1/2 refund and ½ application of same for the year and amount as listed below.

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
6703	6.09		140 Centennial Ave SPE 140 Centennial Ave	2017	15412.64	Tax Court Judgment
6703	6.09		140 Centennial Ave SPE 140 Centennial Ave	2018	31452.72	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 #19-252

WHEREAS, the following party overpaid taxes and is requesting a ¾ refund and ¼ application of same for the year and amount as listed below.

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
5801	11.01		Intellect Polaris Design LLC 20 Corporate Pl S	2015	74078.52	Tax Court Judgment
5801	11.01		Intellect Polaris Design LLC 20 Corporate Pl S	2016	75170.79	Tax Court Judgment
5801	11.01		Intellect Polaris Design LLC 20 Corporate Pl S	2017	85847.60	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 #19-253

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

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
2707	16		24 W 96 th St Realty Corp Begonia Ct	2016	4810.23	Tax Court Judgment
2707	16		24 W 96 th St Realty Corp Begonia Ct	2017	4898.78	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 #19-254

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

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
3101	16.01	C0264	Munisamy 264 Retta Ct	2019	1607.78	Pd by bank & title co
8801	427	C0171	Fillmer 171 Nebula Rd	2019	1605.33	Pd by bank & title co
11902	4.01		Shalayda 50 Riverview Ave	2019	1578.33	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 #19-255

WHEREAS, the Township of Piscataway Police Department is in need of 2019 Police Vehicles Emergency Lighting and Equipment Installation (“Lighting and Equipment”); and

WHEREAS, the Township of Piscataway Chief of Police recommends awarding a contract for the Lighting and Equipment through Bergen County Co-Op #23823, Bid#18-18.1 to Island Tech Services, LLC, Ronkonkoma, NY in the amount not to exceed \$36,295.00; 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, there is funding available pursuant to certification # R-2019-0082;

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 Island Tech Services, LLC, Ronkonkoma, NY for the 2019 Police Vehicles Emergency Lighting and Equipment Installation, in the amount not to exceed \$36,295.00, through Bergen County Co-Op #23823, Bid#18-18.1.

RESOLUTION #19-256

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

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
4601	11		Zheng Yuan Intl 255 Old New Brunswick Rd	2016	66592.59	TAX COURT JUDGMENT
4601	11		Zheng Yuan Intl 255 Old New Brunswick Rd	2017	67818.38	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 #19-257

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

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
4002	2.01		NJMA Centennial LLC 865 Centennial Ave	2018	9725.20	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 #19-258

WHEREAS, on October 4, 2017 and October 13, 2017, PSE&G, Newark, NJ posted escrow checks with the Township of Piscataway in the amounts of \$3,500.00 and \$2,000.00, respectively, regarding Planning Board Application #17-PB-36/37V for Block 5101, Lot 3.03 (1221 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated December 3, 2018 and a Memorandum from the Township Supervisor of Planning dated April 30, 2019, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$2,573.12 to PSE&G, Newark, 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 PSE&G, Newark, NJ, in the amount

of \$2,573.12, regarding Planning Board Application #17-PB-36/37V.

RESOLUTION #19-259

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

WHEREAS, the Township of Piscataway previously amended the contract and wishes to amend the Contract for a second time pursuant to Addendum #2, attached hereto and made a part hereof, in regard to services performed by Subconsultant AEL; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Mayor and the Township Clerk are hereby authorized to execute Contract Addendum #2, in regard to services performed by Subconsultant AEL.

RESOLUTION #19-260

WHEREAS, BPOE Piscataway Lodge #2414, Piscataway, NJ, has filed Application No. RA 1398 with the Township of Piscataway for a Raffle License to conduct an Off-Premise 50/50 Raffle on September 5, 2019, at 450 River Road, Piscataway, NJ; and

WHEREAS, the Township Municipal Clerk has reviewed the application and recommends that the application for a Raffle License by BPOE Piscataway Lodge #2414 be approved; and

WHEREAS, Sterling Village Socialites, Piscataway, NJ, has filed Application No. BA 275 with the Township of Piscataway for a Bingo License to conduct an On-Premise Bingo Night on July 2, 9, 16, 23, and 30, August 6, 13, 20, and 27, September 3, 10, 17, and 24, October 1, 8, 15, 22, and 29, November 5, 12, 19, and 26, and December 3, 10, 17, 24 and 31 of 2019, at 1 Sterling Drive, Piscataway, NJ; and

WHEREAS, the Township Municipal Clerk has reviewed the application and recommends that the application for a Bingo License by Sterling Village Socialites 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 1398 and issue a Raffle License to BPOE Piscataway Lodge #2414, Piscataway, NJ to conduct an Off-Premise 50/50 Raffle on September 5, 2019, at 450 River Road, Piscataway, NJ; and

BE IT FURTHER RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to accept Application No. BA 275 and issue a Bingo License to Sterling Village Socialites, Piscataway, NJ to conduct an On-Premise Bingo Night on July 2, 9, 16, 23, and 30, August 6, 13, 20, and 27, September 3, 10, 17, and 24, October 1, 8, 15, 22, and 29, November 5, 12, 19, and 26, and December 3, 10, 17, 24 and 31 of 2019, at 1 Sterling Drive, Piscataway, NJ.

RESOLUTION #19-261

WHEREAS, Vericon Construction Company LLC, Mountainside, NJ, requests the release of a Performance Surety Bond in the original amount of \$14,887.80 and a Cash Bond in the original amount of \$1,654.20, which were posted with the Township of Piscataway on July 25, 2017 and September 6, 2017, respectively, for Planning Board Application #16-PB-11 regarding improvements for Block 8504, Lot 43.02 (1327-1341 Stelton Road); and

WHEREAS, pursuant to a Request for Release of Funds dated May 1, 2019 and a letter from the Township Supervisor of Engineering dated May 3, 2019, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that all improvements required and covered have been satisfactorily installed and a release of said Bonds is appropriate at this time in accordance with the provision of the Municipal Land Use Law (40:55D-53); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to return said Performance Surety Bond in the amount of \$14,887.80 and said Cash Bond in the amount of \$1,654.20 to Vericon Construction Company LLC, Mountainside, NJ, regarding Planning Board Application #16-PB-11.

RESOLUTION #19-262

WHEREAS, Genevieve Brady requests the return of a Security Deposit in the amount of \$848.93, posted with the Township of Piscataway for Apartment 408 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of Said Security Deposit, in the amount of \$848.93, to Genevieve Brady; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release said Security Deposit to Genevieve Brady in the amount of \$848.93 in regard to Apartment 408 at Sterling Village.

RESOLUTION #19-263

WHEREAS, the Township Director of Public Works has advised that the Township is in need of Gasoline Supply 87 Octane for 2019-2020; and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, said Director of Public Works recommends awarding an Open-End contract for the purchase of Gasoline Supply 87 Octane for 2019-2020 on an as-needed basis under Somerset County Cooperative Purchasing Contract # CC-0045-18 to National Fuel Oil, Inc., Newark, NJ, at the unit price specified in the above coop bid contract, in the amount not to exceed \$200,000.00 for May 22, 2019 through December 31, 2019 and in the amount not to exceed \$125,000.00 for January 1, 2020 through May 21, 2020; and

WHEREAS, funds are available pursuant to certification # 2019-0080;

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 an Open-End contract for as-needed purchase of Gasoline Supply 87 Octane for 2019-2020 from May 22, 2019 through May 21, 2020 to National Fuel Oil, Inc., Newark, NJ through Somerset County Cooperative Purchasing Contract # CC-0045-18, in the amount not to exceed \$200,000.00 for May 22, 2019 through December 31, 2019 and in the amount not to exceed \$125,000.00 for January 1, 2020 through May 21, 2020, subject to all bid specifications and contract documents.

RESOLUTION #19-264

WHEREAS, Judith Canton requests the return of her Picnic Fee in the amount of \$375.00, posted with the Township of Piscataway on March 29, 2019 for a picnic at Possumtown Park on July 28, 2019; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to return the Picnic Fee, receipt #144990, in the amount of \$375.00, to Judith Canton.

RESOLUTION #19-265

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

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
2207	1.02	T01	AP Wireless 99 O New Brunswick Rd	2019	1024.63	Pd on wrg lot
2402	1.01		Serrano 201 N Randolphville Rd	2019	1931.56	Pd by bank & title co
3301	3.06	C0334	Reyes, J 334 Pond Ln	2019	343.61	2016 Homestead Rebate lot sold 3/15/19
10601	1.02	C0257	Bischoff, K	2019	2090.32	Pd by bank & title co

257 River Rd

12301 7.01 C0002 Rutgers University 2019 9087.73 Taxable to exempt in 2019

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 #19-266

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:

Piscataway HUH 2014, LLC
Stop & Shop Supermarket Co.

Block 5302, Lot 1.04
581 Stelton Rd

	<u>2015</u> <u>Assessment</u>	<u>2016 & 2017</u> <u>Assessment</u>	<u>2018 & 2019</u> <u>Assessment</u>
Land	10,735,000	10,735,000	9,661,500
Improvements	<u>7,064,800</u>	<u>8,098,600</u>	<u>11,998,500</u>
Total	17,799,800	18,833,600	21,660,000

	<u>2015 Proposed</u> <u>Assessment</u>	<u>2016 Proposed</u> <u>Assessment</u>	<u>2017 Proposed</u> <u>Assessment</u>	<u>2018 Proposed</u> <u>Assessment</u>
Land	10,735,000	10,735,000	10,735,000	9,661,500
Improvements	<u>7,064,800</u>	<u>8,098,600</u>	<u>7,168,200</u>	<u>10,138,500</u>
Total	17,799,800	18,833,600	17,903,200	19,800,000

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 #19-267

WHEREAS, the Township Director of Public Works has advised that the Township is in need of Two (2) Base Model FT-10 E Drop Deck Trailers; and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, the Director of Public Works recommends awarding a contract for Two (2) Base Model FT-10 E Drop Deck Trailers through Sourcewell COOP, NJPA Contract #121918-FTS to Dejana Truck and Utility Equipment, Kings Park, NY in the amount not to exceed \$9,188.04 for each of the trailers, for a final total not to exceed \$18,376.08; 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-2019-0081;

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 Two (2) Base Model FT-10 E Drop Deck Trailers through Sourcewell COOP, NJPA Contract #121918-FTS to Dejana Truck and Utility

Equipment, Kings Park, NY in the amount not to exceed \$9,188.04 for each of the trailers, for a final total not to exceed \$18,376.08, subject to all bid specifications and contract documents.

RESOLUTION #19-268

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Black Rock Enterprises, L.L.C., Old Bridge, NJ for the 2018 Road Reconstruction of Various Roads in the Township (the "Project"), in an amount not to exceed \$1,686,720.00; 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 Black Rock Enterprises, L.L.C. 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 \$75,000.00 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$1,761,720.00, a 4.45% 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 May 9, 2019, 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-2018-016-1;

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 Black Rock Enterprises, L.L.C., Old Bridge, NJ from \$1,686,720.00 to a final total not to exceed \$1,761,720.00 and execute the enclosed Contract Change Order in the amount of \$75,000.00, subject to all bid specifications and contract documents.

RESOLUTION #19-269

WHEREAS, Ashish N. Patel & Manisha A. Patel, Piscataway, NJ, request the release of a Cash Bond in the original amount of \$13,188.00, which was posted with the Township of Piscataway on June 27, 2017 regarding improvements for Block 1509, Lot 30.01 (800 Eva Street); and

WHEREAS, pursuant to a Request for Release of Funds dated February 25, 2019 and a letter from the Township Supervisor of Engineering dated May 9, 2019, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that all improvements required and covered have been satisfactorily installed, that no maintenance bond is required, and recommends the release of the Cash Bond; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release a Cash Bond in the amount of \$13,278.17 (including accrued interest), to Ashish N. Patel & Manisha A. Patel, Piscataway, NJ, regarding Block 1509, Lot 30.01 (800 Eva Street).

RESOLUTION #19-270

WHEREAS, on May 9, 2019, the Township of Piscataway (the "Township") received bids for the leasing of real property from the Township of Piscataway for the construction of a wireless monopole and the siting of telecommunications equipment for a minimum of four (4) telecommunication providers, pursuant to competitive bids entitled "2019-Wireless Communication Site Lease Agreement with the Township of Piscataway" (the "Lease"); and

WHEREAS, the Township Business Administrator and Acting Director of the Department of Community Development reviewed the two (2) bids received and recommended awarding the Lease to New Cingular Wireless PCS, LLC ("New Cingular") which is the highest qualifying bidder with a base initial annual rental of \$27,000, a two (2%) percent annual rent increase per year; and payment of one hundred (100%) percent of all co-location fees to the Township; and

WHEREAS, the proposed Lease will include a provision that each co-locator on the monopole tower pay at least the same annual rental as New Cingular Wireless.

NOW, THEREFORE, be it resolved by the Township Council of the Township of Piscataway that appropriate municipal officials be and hereby are authorized to execute and deliver the Wireless Communication Site Lease Agreement with New Cingular Wireless in substantially the same form as included in the bid documents, subject to all bid specifications and contract documents.

RESOLUTION #19-270

WHEREAS, Senate Bill No. 3681, sponsored by Senators Bob Smith, Christopher Bateman and Linda R. Greenstein, requires, by energy year 2050, all electric power sold in NJ by each electric power supplier and basic generation service provider to be from zero-carbon sources; and

WHEREAS, The Township of Piscataway actively works toward reducing its carbon footprint by currently buying a portion of its energy from renewable sources and installing solar panels on municipal buildings and structures; and

WHEREAS, the Township of Piscataway is concerned about climate change and wishes to support legislation to bring all of New Jersey on to renewable energy sources; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township of Piscataway salutes the sponsors for listening to the Mayors in their districts and all around New Jersey and for advancing this legislation; and

BE IT FURTHER RESOLVED that the Township Council of the Township of Piscataway enthusiastically supports and urges our State Legislators to pass Senate Bill No. 3681; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Governor Phil Murphy, Lieutenant Governor Sheila Oliver, New Jersey Senate President Steve Sweeney, New Jersey Senate Republican Leader Thomas Kean, Jr., New Jersey Assembly Speaker Craig Coughlin, New Jersey Assembly Republican Leader Jon Bramnick, to the members of the Middlesex County Legislative Delegation, to the New Jersey League of Municipalities and to the Municipalities surrounding the Township of Piscataway.

RESOLUTION #19-271

WHEREAS, Senate Bill No. 3670, sponsored by Senators Bob Smith and Troy Singleton, requires land use plan element of municipal master plan to include a climate change-related hazard vulnerability assessment; and

WHEREAS, the Township of Piscataway and all of New Jersey should be proactive in preparing for climate change induced hazards; and

WHEREAS, the above referenced climate change related hazard vulnerability assessment shall consider environmental effects and extreme weather related events associated with climate change, including, but not limited to, temperature, drought and sea-level rise; and

WHEREAS, said assessment shall also contain measures to mitigate reasonably anticipated natural hazards, including, but not limited to, coastal storms, shoreline erosion, flooding, storm surge, and wind, following best management practices recommended by the Federal Emergency Management Agency; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township of Piscataway salutes the sponsors for listening to the Mayors in their districts and all around New Jersey and for advancing this legislation; and

BE IT FURTHER RESOLVED that the Township Council of the Township of Piscataway enthusiastically supports and urges our State Legislators to pass Senate Bill No. 3670; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Governor Phil Murphy, Lieutenant Governor Sheila Oliver, New Jersey Senate President Steve Sweeney, New Jersey Senate Republican Leader Thomas Kean, Jr., New Jersey Assembly Speaker Craig Coughlin, New Jersey Assembly Republican Leader Jon Bramnick, to the members of the Middlesex County Legislative Delegation, to the New Jersey League of Municipalities and to the Municipalities surrounding the Township of Piscataway.

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

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Mr. Bullard spoke about Mother's Day celebration at the senior center.

Raj Goomer drafting letter to prosecutors office referring inaccuracies in primaries, duplicate and/or forged signatures and seem to be from Central Jersey Progressive Democrats.

OPEN TO PUBLIC:

Curtis Grubbs, 1750 W 3rd St, concerned about parking summons he received on county road. Mr. Grubbs also concerned about Hazelwood Park water problem, and when was the last time W 3rd had a street sweep.

David Akins, 39 Ambrose Valley Ln, asking for clarification on Item J and Item S.

Benjamin Marsinko, 332 Ellis Parkway, asking of trees that have been cut down at the parks are going to be replaced

There being no further business to come before the council, the meeting was adjourned at 7:50 pm on motion of Mrs. Lombardi, seconded by Mr. Shah, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

Frank Uhrin
Council President