

September 24, 2019

A Regular Meeting of the Piscataway Township Council was held on September 10, 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, Cahill, Lombardi, McCullum and Uhrin. Mr. Uhrin led the salute to the flag.

There were no comments from Administration and Council. Mr. Uhrin opened the meeting to the Public for comments regarding the Consent Agenda Items. There being no comments, this portion of the meeting was closed to the public.

The Clerk read for SECOND READING the following ORDINANCE:
ORDINANCE TO AMEND AND REVISE THE GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XXI (21) ZONING, SECTION 601 OF THE ZONING REGULATIONS

WHEREAS, the Mayor and Township Council of the Township of Piscataway ("Township"), Middlesex County, finds it in the best interest of the public to amend Chapter II, Administration, Section 9, Municipal Clerk and Chapter XIV, Building, Section 1, Connection Fee; Service Charges, of the Revised General Ordinances of the Township for the purpose of revising the clerks duties and adding to and revising the amounts to be paid in regard to building connection fees; and

WHEREAS, pursuant to N.J.A.C. § 13:47-1 et. seq., the governing body of a municipality may, by ordinance, delegate the authority to approve the granting of raffle and bingo licenses to an individual of their choosing; and

WHEREAS, the Township wishes to delegate the authority to grant raffle and bingo licenses to the Township's Municipal Clerk so that governing body approval via resolution is no longer required; and

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter II, Administration, Section 9, Municipal Clerk, Chapter XIV, Building, Section 1, Connection Fee; Service Charges, of the Revised General Ordinances of the Township of Piscataway are hereby amended with Chapter XIV, Section 1.3(a)5 being removed and replaced with the following and Chapter XIV, Section 1.3(a)13 being added, with additions shown in italics and deletions shown in brackets with text as follows:

CHAPTER II

ADMINISTRATION

2-9 MUNICIPAL CLERK

2-9.9 Additional Duties.

The Municipal Clerk shall also:

- b. [Perform the functions vested in the Municipal Clerk by State Law and ordinances relating to bingo and raffles licensing.] *Be authorized and responsible for the approval or denial of all applications for raffle and bingo licenses and issuance of said licenses.*

CHAPTER XIV

BUILDING

14-1 CONNECTION FEE; SERVICE CHARGES

14-1.3 Fees.

- a. The fee for a construction permit shall be the sum of the subcode fees listed below. Said fee shall be paid prior to issuance of a permit. Where the fee is calculated per thousand (\$1,000.00) dollars, same shall refer to the cost of the item.

5. *The Fire Subcode Fees shall be as follows:*

Fire protection. For fire protection and hazardous equipment, sprinklers, standpipes, fire alarm devices such as but not limited to manual pull stations, smoke and heat detectors, water flow devices, tamper switches, pre-engineered suppression systems, gas or oil fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums, the fee shall be as follows:

(a) *Wet and dry sprinkler heads*

1 – 20	\$91.00
21 – 100	\$168.00
101 – 200	\$321.00
201 – 400	\$831.00
401 – 1000	\$1,150.00
Over 1000	\$1,469.00

(b) *Smoke, carbon monoxide, and heat detectors and other initiating devices:*

1 – 5	\$75.00
6 - 10	\$100.00
11 - 15	\$125.00
16 - 25	\$150.00
<i>Each additional block of 25 devices:</i>	\$50.00

(c) *A fire pump:* \$250.00

(d) *A private underground fire:* \$200.00

(e) *The installation of each private fire hydrant:* \$125.00

(f) *Each independent, pre-engineered system:* \$200.00

(g) *Stand pipes* \$300.00

(h) *Each kitchen exhaust system:*

(1) *Residential* \$75.00

(2) *Commercial* \$150.00

(i) *Each gas or oil fired appliance, such as a furnace or a gas fireplace, that is not connected to the plumbing system:* \$75.00

(j) *Each fire alarm control panel:* \$125.00

(k) *The removal, replacement or installation of a flammable or combustible liquid storage tank:*

(1) Residential:	\$150.00
(2) Commercial:	\$250.00
(l) The installation of portable fire extinguishers as required under the Fire Subcode:	
1 – 5	\$75.00
6 - 10	\$100.00
11 - 15	\$125.00
16 - 25	\$150.00
Each additional block of 25 devices:	\$50.00
(m) Chimney liners:	\$75.00
Minimum fee:	\$75.00

For any other work requiring a permit not specified in Subsection 14-1.3(a)5 (a)-(l) above shall be \$27 per thousand dollars of estimated cost.

The fee for replacement of an existing transmission means as per N.J.A.C. 5:23-2.17A(c)5v shall be \$35.00.

* * *

13. Test and inspection fees for elevator devices

(a) The Township fees for witnessing acceptance tests and performing inspections on new and altered elevator devices shall be as follows:

1. The basic fees for elevator devices in structures not of Group R-3, R-4, or R-5, or in an exempted structure of Group R-2, shall be as follows:

i. Traction and winding drum elevators:

(1) One to 10 floors \$340.00;

(2) Over 10 floors \$567.00;

ii. Hydraulic elevators \$302.00;

iii. Roped hydraulic elevators \$340.00;

iv. Escalators, moving walks \$302.00;

v. Dumbwaiters \$76.00;

vi. Stairway chairlifts, inclined and vertical wheelchair lifts, and manlifts \$76.00.

2. Additional charges for devices equipped with the following features shall be as follows:

i. Oil buffers (charge per oil buffer) \$60.00;

ii. Counterweight governor and safeties \$151.00;

iii. Auxiliary power generator \$114.00.

3. The Township fee for elevator devices in structures of Group R-3, R-4, or R-5, or otherwise exempt devices in structures of Group R-2, shall be \$227.00 except fees for dumbwaiters, stairway chairlifts, and inclined and vertical wheelchair lifts shall be \$76.00. These fees shall be waived when signed statements and supportive inspection and acceptance test reports are filed by an approved qualified agent or agency in accordance with N.J.A.C. 5:23-2.19 and 2.20.

4. The fee for performing inspection of minor work shall be \$76.00.

(b) The Township fee for required routine and periodic inspections and tests for elevator devices in structures not of Group R-3, R-4, or R-5, or otherwise exempt devices in structures of Group R-2, shall be as follows:

1. The fee for the six-month routine inspection of escalators shall be \$211.00.

2. The fee for the one-year periodic inspection and witnessing of tests of elevator devices shall be as follows:

i. Traction and winding drum elevators:

(1) One to 10 floors \$302.00;

(2) Over 10 floors \$362.00;

ii. Hydraulic elevators \$227.00;

iii. Roped hydraulic elevators \$302.00;

iv. Moving walks \$484.00;

v. Dumbwaiters \$120.00;

vi. Manlifts, stairway chairlifts, inclined and vertical wheelchair lifts \$183.00;

vii. Escalators \$484.00.

3. Additional yearly periodic inspection charges for elevator devices equipped with the following features shall be as follows:

i. Oil buffers (charge per oil buffer) \$60.00;

ii. Counterweight governor and safeties \$120.00;

iii. Auxiliary power generator \$76.00.

4. The fee for the three-year or five-year inspection of elevator devices shall be as follows:

i. Traction and winding drum elevators:

(1) One to 10 floors (five-year inspection) \$513.00;

(2) Over 10 floors (five-year inspection) \$646.00;

ii. Hydraulic and roped hydraulic elevators:

(1) Three-year inspection \$387.00;

(2) Five-year inspection \$227.00.

(c) When the Department is the enforcing agency, the fees set forth in (b) above shall be paid annually in accordance with the following schedule, which is based on the average of the fees to be collected over a five year period:

1. Basic annual fee as follows:

i. Traction and winding drum elevators:

(1) One to 10 floors \$339.00;

(2) Over 10 floors \$409.00;

ii. Hydraulic elevators \$258.00;

<i>iii. Roped hydraulic elevators</i>	<i>\$232.00;</i>
<i>iv. Moving walks</i>	<i>\$484.00;</i>
<i>v. Dumbwaiters</i>	<i>\$120.00;</i>
<i>vi. Stairway chairlifts, inclined and vertical wheelchair lifts, manlifts</i>	<i>\$182.00';</i>
<i>vii. Escalators</i>	<i>\$695.00.</i>

2. *Additional charges for devices equipped with the following features as follows:*

<i>i. Oil buffers (charge per oil buffer)</i>	<i>\$60.00;</i>
<i>ii. Counterweight governor and safeties</i>	<i>\$120.00;</i>
<i>iii. Auxiliary power generator</i>	<i>\$76.00.</i>

(d) The fee for any reinspection of an elevator device shall be set at \$203.00 and shall be billed separately from the above fees upon the issuance of a Notice of Violation necessitating a reinspection.

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

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

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 AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER II (2), ADMINISTRATION, SECTION 9, MUNICIPAL CLERK, CHAPTER XIV (14), BUILDING, SECTION 1, CONNECTION FEE; SERVICE CHARGES**

RESOLUTION offered by Mr. Bullard, seconded by Mrs. Cahill, **BE IT RESOLVED**, By the Township Council of Piscataway Township, New Jersey that: **ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER II (2), ADMINISTRATION, SECTION 9, MUNICIPAL CLERK, CHAPTER XIV (14), BUILDING, SECTION 1, CONNECTION FEE; SERVICE CHARGES** was introduced on the 10th day of September, 2019 and had passed the first reading and was published on the 13th day of September, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on September 24, 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. 19-22.

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

The Clerk read for **SECOND READING** the following **ORDINANCE: AN ORDINANCE FOR THE PURCHASE OF BLOCK 12502, LOT 10.05 IN THE TOWNSHIP OF PISCATAWAY**

WHEREAS, certain land improved with a historic structure known as the Metlar House, located within the Township of Piscataway, designated as Block 12502, Lot 10.05 on the Piscataway Township Tax Map (the "Property"), is presently owned by the State of New Jersey, Department of Transportation (the "State"); and

WHEREAS, the Township Council of the Township of Piscataway wishes to acquire the Property; and

WHEREAS, an agreement to sell property for continued public use has been negotiated with the State (hereinafter the "Agreement"); and

WHEREAS, the State has requested that the Township adopt an ordinance specifically authorizing the Township to acquire the Property;

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

1. The Township is hereby authorized to acquire the Property designated by the State as Parcel VX24B of the Route 18F Section 11 Project, for operation and maintenance of the Metlar House and its surrounding curtilage for historic and interpretive use by the public; and to execute the Agreement to purchase same.
2. The aggregate purchase price for the Property is One Hundred Fifty Thousand (\$150,000.00) Dollars.
3. The Agreement includes a provision that if the closing of title has not occurred within 180 calendar days from the date the agreement has been executed by the Commissioner of Transportation, or the Commissioner's designee, either party can elect to terminate the Agreement.
4. The complete form of the Agreement is attached hereto as Schedule A.

The provisions of this Ordinance are deemed severable and in the event any section, sub-section, sentence, clause or phrase herein shall be declared invalid or unconstitutional by a court of competent jurisdiction, said declaration shall not affect the validity of the remaining sections, sub-sections, sentences, clauses or phrases of this Ordinance and said Ordinance shall remain in full force and effect.

This Ordinance shall take effect twenty (20) days after the first publication thereof, by summary, after final passage in the manner provided by law.

Mr. Uhrin opened the Meeting to the Public for Comments AN ORDINANCE FOR THE PURCHASE OF BLOCK 12502, LOT 10.05 IN THE TOWNSHIP OF PISCATAWAY

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Bullard, BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that: AN ORDINANCE FOR THE PURCHASE OF BLOCK 12502, LOT 10.05 IN THE TOWNSHIP OF PISCATAWAY was introduced on the 10th day of September, 2019 and had passed the first reading and was published on the 13th day of September, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on September 24, 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. 19-23.

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

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY TO ESTABLISH A GOVERNMENT-PRIVATE ENERGY AGGREGATION PROGRAM IN THE TOWNSHIP OF PISCATAWAY IN ORDER TO PROVIDE ELECTRIC GENERATION SERVICE AND SUPPLY SERVICE FOR RESIDENTIAL CUSTOMERS PURSUANT TO THE GOVERNMENT ENERGY AGGREGATION ACT OF 2003 (P.L.2003, c.24, N.J.S.A. 48:3-92 et seq.)

WHEREAS, The State of New Jersey is one of three States that has been engaged in a process to establish a competitive market place through deregulation and restructuring of the electric utility industry; and

WHEREAS, The Government Energy Aggregation Act of 2003 permits municipalities to become a government aggregator in order to provide electric generation service for use by residential and non-residential customers within municipal geographic boundaries; and

WHEREAS, the Mayor and Township Council of the Township of Piscataway (the "Township") have determined that residential citizens of the Township have a substantial economic and social interest at stake in the purchase and supply of energy; and

WHEREAS, the Mayor and Township Council of the Township has also determined it is in the best interests of the Township's residential rate payers to create a Government-Private Energy Aggregation Program; and

WHEREAS, the Township is a member of the Middlesex Regional Educational Services Cooperative Shared Services Agreement, under which and pursuant to the Local Public Contracts Law and Fair and Open Process seeking an energy service provider, Good Energy L.P. has been selected to perform the New Jersey BPU aggregation program pursuant to N.J.A.C. 14:4-6 et seq. and laws of the State of New Jersey; and

WHEREAS, the Township shall and will have held a public hearing on September 24, 2019, following proper notice and advertisement, on the proposed energy aggregation program and indicating its intent to solicit bids for the provision of electric generation service, either separately or bundled; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey as follows:

SECTION 1: Pursuant to the rules and regulations adopted by the New Jersey Board of Public Utilities under P.L. 2003, c.24, the Township of Piscataway will follow Government-Private Option Two of the BPU Government-Private Aggregator Program.

SECTION 2: The Township of Piscataway is authorized to solicit bids for aggregate electric generation supply service according to the Local Public Contracts Law (P.L. 1991 c.198, N.J.S.A. 40A:11-1, et seq.).

SECTION 3: The Mayor and Township Business Administrator are hereby authorized to submit all necessary documentation to New Jersey Board of Public Utilities and to provide appropriate notice to residential customers to "opt-out" of the program.

SECTION 4: All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

If the provisions of any section

SECTION 5: that if any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 6: 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 OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY TO ESTABLISH A GOVERNMENT-PRIVATE ENERGY AGGREGATION PROGRAM IN THE TOWNSHIP OF PISCATAWAY IN ORDER TO PROVIDE ELECTRIC GENERATION SERVICE AND SUPPLY SERVICE FOR RESIDENTIAL CUSTOMERS PURSUANT TO THE GOVERNMENT ENERGY AGGREGATION ACT OF 2003 (P.L.2003, c.24, N.J.S.A. 48:3-92 et seq.)**

The following residents spoke on their support for this ordinance: Herb Tarbous 411 New Market Rd, Ann Bastian 113 Fountain Ave, Laura Leibowitz 102 Stratton St S, Mr. Patel 29 Redbud Rd, Junior Romero 100 Bayard St, Anthony Weil 2250 Plainfield Ave N, Ruana 44 Lincoln Ave, Kaleb 74 Lincoln Ave, Staci Berger 233 Ellis Parkway

RESOLUTION offered by Mrs. McCullum, seconded by Mr. Shah, **BE IT RESOLVED**, By the Township Council of Piscataway Township, New Jersey that: **ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY TO ESTABLISH A GOVERNMENT-PRIVATE ENERGY**

AGGREGATION PROGRAM IN THE TOWNSHIP OF PISCATAWAY IN ORDER TO PROVIDE ELECTRIC GENERATION SERVICE AND SUPPLY SERVICE FOR RESIDENTIAL CUSTOMERS PURSUANT TO THE GOVERNMENT ENERGY AGGREGATION ACT OF 2003 (P.L.2003, c.24, N.J.S.A. 48:3-92 et seq.) was introduced on the 10th day of September, 2019 and had passed the first reading and was published on the 13th day of September, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on September 24, 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. 19-24.

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

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE SUPPLEMENTING CHAPTER X (10), HEALTH REGULATIONS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

RESOLUTION offered by Mrs. Lombardi, seconded by Mrs. Cahill, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: ORDINANCE SUPPLEMENTING CHAPTER X (10), HEALTH REGULATIONS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY be and is hereby adopted on the first reading, that it be published in the official newspaper, and that a second reading and public hearing be held at 7:30 p.m., prevailing time at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey on the 15th day of October, 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, Lombardi, McCullum, and Uhrin answered yes.

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE TO AMEND AND REVISE THE ZONING ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XXI (21) ZONING, SECTION 1014.3(a) SOLAR PANELS

RESOLUTION offered by Mr. Bullard, seconded by Mr. Shah, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: ORDINANCE TO AMEND AND REVISE THE ZONING ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XXI (21) ZONING, SECTION 1014.3(a) SOLAR PANELS

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 7th day of November, 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, Lombardi, McCullum, and Uhrin answered yes.

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY, AMENDING CHAPTER XXXI (31), SECTION 1.5 INSURANCE REQUIRED.

RESOLUTION offered by Mrs. Lombardi, seconded by Mrs. Cahill, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE

TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY, AMENDING CHAPTER XXXI (31), SECTION 1.5 INSURANCE REQUIRED.

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 15th day of October, 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, and Uhrin answered yes.

RESOLUTION #19-379

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

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

WHEREAS, each of the following Resolutions, Motions or Proclamations to be presented before the Township Council at its September 24, 2019 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Purchase and Installation of Recycling Garbage Cans for Community Center – Safeco – Not to Exceed \$5,018.40 and Commercial Furniture Interiors – Not to Exceed \$1,000.00.
- b. RESOLUTION – Authorizing Return of Sterling Village Security Deposit:
 - Ronald Smith – Apt. 210.
 - Lorene Morgan – Apt. 114.
- c. RESOLUTION – Authorizing Return of Escrow Fees:
 - Block 5201, Lots 8, 13-14, 20.01 – 1518 S Washington Avenue – PB Brown LLC.
 - Block 9301, Lot 52.01 – 51 Suttons Lane – Suttons II, LLC.
 - Block 5701, Lot 7.03 – 1260 Centennial Avenue – Jonathan Properties, LLC.
 - Block 8501, Lot 45.01 – 555 New Durham Road – Paramount Realty Services, Inc.
 - Block 8501, Lot 45.01 – 555 New Durham Road – Ibis Car Care, Inc.
 - Block 6703, Lot 6.06 – 220 Centennial Avenue – Yespac, Inc.
- d. RESOLUTION – Authorizing Return of Street Opening Bond:
 - Block 11306, Lot 7.05 – 5302 Orchard Street – Ramesh & Urmila Patel
- e. RESOLUTION – Authorizing Return of Irrevocable Standby Letter of Credit and Cash Bond – Block 4901, Lot 1.03 – 2 Turner Place – Evonik Corporation.
- f. RESOLUTION – Authorizing Tax Appeal Settlement – 100 New England Assoc LLC – Block 4601, Lot 2.01 – 100 New England Avenue.
- g. RESOLUTION – Authorizing Grant Application Submission and Execution of Grant Contract with New Jersey DOT for Centennial Avenue Road Improvements.
- h. RESOLUTION – Adopting a Section 457 Deferred Compensation Plan.
- i. RESOLUTION – Authorizing Refund of Overpayment of Taxes – 2017 Homestead Rebate-Now 100% Exempt – Various Block and Lots.
- j. RESOLUTION – Authorizing Return of Engineering and Inspection Fees:
 - Metropolitan Communications Group – Fiber Optic Permit F-167 – Possumtown Road & Conrail Railroad.

- k. RESOLUTION – Authorizing Waiving Interest and Penalties Accruing to Middlesex Borough for 2018 Sewer Bill.
- l. RESOLUTION – Authorizing Historic Preservation and Capital Grant Application for 2019 Middlesex County Grant.
- m. RESOLUTION – Authorizing Award of 2019 Street Tree Replacements and 2019 Landscape Replacements and Maintenance – JCW Inc. d/b/a Natural Green Lawn Care – Not to Exceed \$29,555.00 and \$31,455.00.
- n. RESOLUTION – Authorizing Change Order #1 – Piscataway Community and Cultural Arts Center – Terminal Construction Corporation – Not to Exceed \$3,429,409.37.
- o. RESOLUTION – Authorizing Purchase of 2019 Rock Salt Supply Through Somerset County Coop Contract #CC-0054-18 – Atlantic Salt, Inc. – Not to Exceed \$50,000.00 for 2019 and \$125,000.00 for 2020.
- p. RESOLUTION – Authorizing Professional Construction Management Services – Municipal Complex Parking Lot Improvements-Contract 1 – CME Associates – Not to Exceed \$109,470.00.
- q. RESOLUTION – Authorizing Rejection of Bids and Re-Bid - 2019-Johnson Avenue-Drainage Improvements.
- r. RESOLUTION – Authorization to Execute Agreement with New Market Fire Co. for Cellular Monopole Revenue Sharing.
- s. RESOLUTION – Declaring 1060 Stelton Road - Block 5402, Lot 14.02 – A Non-Condemnation Area In Need of Redevelopment.
- t. RESOLUTION – Declaring 330 South Randolphville Road - Block 4701, Lot 5.05 – A Non-Condemnation Area In Need of Redevelopment.
- u. RESOLUTION – Authorizing Re-Bid – Snowplowing Services.
- v. RESOLUTION – Authorizing Emergency Services – Completion of Park Avenue – M. Sky – Not to Exceed \$39,956.11.
- w. MOTION – Accept Report of Clerk’s Account – August 2019.
- x. MOTION – Accept Report of the Division of Revenue – August 2019.
- y. MOTION – Receive and Enter into Minutes Disbursements for the Month of August 2019.
- z. MOTION – Accept Minutes October to December 2018.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that each of the above-listed Resolutions, Motions or Proclamations be approved and adopted by the Township Council, with the same legal effect as through each was read in its entirety at the September 24, 2019 Regular meeting and adopted by separate vote.

On roll call vote, Messrs. Bullard, Cahill, 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 #19-380

WHEREAS, the Township of Piscataway (“Township”) is in need of the Purchase and Installation of Recycling Receptacles at the Piscataway Community and Cultural Arts Center (“Receptacles”); and

WHEREAS, the Township Director of Recreation recommends awarding a contract for the Purchase of the Receptacles, through National IPA Contract R142211, to Safco, New Hope, MN, in the amount not to exceed \$5,018.40; and

WHEREAS, the Township Director of Recreation recommends awarding a contract for the Installation of said Receptacles, through New Jersey State Contract #A81710, to Commercial Furniture Interiors, Mountainside, NJ, in the amount not to exceed \$1,000.00; 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, there is funding available pursuant to certification # R-2019-0106 and R-2019-0107;

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 Safco, New Hope, MN for the Purchase of Recycling Receptacles for the Piscataway Community and Cultural Arts Center, in the amount not to exceed \$5,018.40, through National IPA Contract R142211; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to enter into a contract with Commercial Furniture Interiors, Mountainside, NJ, for the Installation of Recycling Receptacles for the Piscataway Community and Cultural Arts Center, in the amount not to exceed \$1,000.00, through New Jersey State Contract #A81710.

RESOLUTION #19-381

WHEREAS, Ronald Smith requests the return of a Security Deposit in the amount of \$992.32, posted with the Township of Piscataway for Apartment 210 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$959.52, to Ronald Smith with the remaining \$32.80 being retained by the Township for outstanding rent due; and

WHEREAS, Lorene Morgan requests the return of a Security Deposit in the amount of \$470.81, posted with the Township of Piscataway for Apartment 114 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$470.81, to the Township of Piscataway due to furniture being left in the apartment and the keys not being returned; and

WHEREAS, on September 3, 2019, Gwen Morgan, a relative of Lorene Morgan agreed to the Township of Piscataway keeping the security deposit in lieu of the furniture being left in the apartment and the keys not being returned; 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 Ronald Smith, in the amount of \$959.52, with the remaining \$32.80 being retained by the Township for outstanding rent due in regard to Apartment 210 at Sterling Village; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release said Security Deposit to the Township of Piscataway, in the amount of \$470.81, due to furniture being left in the apartment and the keys not being returned in regard to Apartment 114 at Sterling Village.

RESOLUTION #19-382

WHEREAS, on August 17, 2018, PB Brown LLC, DelMar, CA posted an escrow check with the Township of Piscataway in the amount of \$24,500.00, regarding Zoning Board Application #18-ZB-43/44/45V for Block 5201, Lots 8, 13-14, 20.01 (1518 S Washington Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated January 16, 2019 and a Memorandum from the Township Supervisor of Planning dated September 4, 2019, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$17,662.81 to PB Brown LLC, DelMar, CA; and

WHEREAS, on April 4, 2017, Suttons II, LLC, Piscataway, NJ posted an escrow check with the Township of Piscataway in the amount of \$8,700.00, regarding Planning Board Application #17-PB-11/12V for Block 9301, Lot 52.01 (51 Suttons Lane); and

WHEREAS, pursuant to a Request for Release of Funds dated July 2, 2019 and a Memorandum from the Township Supervisor of Planning dated September 4, 2019, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$5,453.80 to Suttons II, LLC, Piscataway, NJ; and

WHEREAS, on August 4, 2017, Jonathan Properties, LLC, South Plainfield, NJ posted an escrow check with the Township of Piscataway in the amount of \$3,000.00, regarding Zoning Board Application #17-ZB-23/24V for Block 5701, Lot 7.03 (1260 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated April 3, 2019 and a Memorandum from the Township Supervisor of Planning dated September 4, 2019, the Supervisor of Planning and the Finance Department approved the release of the

unexpended escrow fees in the amount of \$2,076.75 to Jonathan Properties, LLC, South Plainfield, NJ; and

WHEREAS, on November 4, 2015, Paramount Realty Services, Inc., Lakewood, NJ posted an escrow check with the Township of Piscataway in the amount of \$1,500.00, regarding concept plan review in connection with Zoning Board Application #16-ZB-27/28V for Block 8501, Lot 45.01 (555 New Durham Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated January 23, 2019 and a Memorandum from the Township Supervisor of Planning dated September 6, 2019, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$365.24 to Paramount Realty Services, Inc., Lakewood, NJ; and

WHEREAS, on August 29, 2017, July 22, 2016, August 17, 2016, January 13, 2017, and July 31, 2017, Ibis Car Care, Inc., Piscataway, NJ posted escrow checks with the Township of Piscataway in the amounts of \$4,000.00, \$500.00, \$10,500.00, \$10,000.00, and \$3,000.00, regarding Zoning Board Application #16-ZB-27/28V for Block 8501, Lot 45.01 (555 New Durham Avenue); and

WHEREAS, on July 19, 2018, Paramount Realty Services, Inc., Lakewood, NJ posted an escrow check with the Township of Piscataway in the amount of \$1,500.00, regarding Zoning Board Application #16-ZB-27/28V for Block 8501, Lot 45.01 (555 New Durham Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated May 6, 2019 and a Memorandum from the Township Supervisor of Planning dated September 6, 2019, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$1,194.43 to Paramount Realty Services, Inc., Piscataway, NJ; and

WHEREAS, on December 20, 2018, Yespac, Inc., Piscataway, NJ posted an escrow check with the Township of Piscataway in the amount of \$1,000.00, regarding Zoning Board Application #18-ZB-66V for Block 6703, Lot 6.06 (220 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated September 9, 2019 and a Memorandum from the Township Supervisor of Planning dated September 10, 2019, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$828.49 to Yespac, Inc., Piscataway, 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 PB Brown LLC, DelMar, CA, in the amount of \$17,662.81, regarding Zoning Board Application #18-ZB-43/44/45V; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Suttons II, LLC, Piscataway, NJ, in the amount of \$5,453.80, regarding Planning Board Application #17-PB-11/12V; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Jonathan Properties, LLC, South Plainfield, NJ, in the amount of \$2,076.75, regarding Zoning Board Application #17-ZB-23/24V; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Paramount Realty Services, Inc., Lakewood, NJ, in regard to concept plan review, in the amount of \$365.24, regarding Zoning Board Application #16-ZB-27/28V; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Paramount Realty Services, Inc., Lakewood, NJ, in the amount of \$1,194.43, regarding Zoning Board Application #16-ZB-27/28V; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Yespac, Inc., Piscataway, NJ, in the amount of \$828.49, regarding Zoning Board Application #18-ZB-66V.

RESOLUTION #19-383

WHEREAS, Ramesh & Urmila Patel, Piscataway, NJ, request the return of a Street Opening Bond in the amount of \$500.00, posted with the Township of Piscataway on May 31, 2018 regarding repairs and inspections for Block 11306, Lot 7.05 (5302

Orchard Street); and

WHEREAS, pursuant to a Request for Release of Funds dated July 11, 2019 and a memorandum from the Supervisor of Engineering dated September 5, 2019, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that the repairs and inspections have been made according to Township specifications, and therefore recommended the return of said Street Opening 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 return said Street Opening Bond to Ramesh & Urmila Patel, Piscataway, NJ, in the amount of \$500.00, regarding the above referenced property.

RESOLUTION #19-384

WHEREAS, on October 18, 2016, and October 25, 2016, Evonik Corporation, Parsippany, NJ posted an Irrevocable Standby Letter of Credit and a Cash Bond, respectively, with the Township of Piscataway in the amounts of \$369,665.91 and \$41,073.99, respectively, regarding Planning Board Applications #15-PB-44/45 & #16-PB-01V for Block 4901, Lot 1.03 (2 Turner Place); and

WHEREAS, pursuant to a Request for Release of Funds dated August 26, 2019 and a Memorandum from the Township Supervisor of Engineering dated September 4, 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

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 the Irrevocable Standby Letter of Credit and Cash Bond in the amounts of \$369,665.91 and \$41,379.54 (including accrued interest), respectively, to Evonik Corporation, Parsippany, NJ, regarding the above referenced Planning Board Applications.

RESOLUTION #19-385

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:

100 New England Assoc LLC

Block 4601, Lot 2.01
100 New England Ave

	<u>2014-2017</u> <u>Assessment</u>	<u>2014, 2015 & 2017</u> <u>Proposed Settlement</u>	<u>2016</u> <u>Assessment</u>	<u>2016 Proposed</u> <u>Settlement</u>
Land	2,706,600		2,706,600	2,706,600
Improvements	<u>3,713,400</u>	<u>WITHDRAW</u>	<u>3,713,400</u>	<u>2,813,200</u>
Total	6,420,000		6,420,000	5,519,800
	<u>2018</u> <u>Assessment</u>	<u>2018 Proposed</u> <u>Assessment</u>	<u>2019</u> <u>Assessment</u>	<u>2019 Proposed</u> <u>Assessment</u>
Land	2,930,400		2,930,400	2,930,400
Improvements	<u>4,356,800</u>	<u>WITHDRAW</u>	<u>6,449,600</u>	<u>5,229,600</u>
Total	7,287,200		9,380,000	8,160,000

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 #19-386

WHEREAS, the Township of Piscataway wishes to obtain a grant from the New Jersey Department of Transportation (the “NJDOT”) for the Centennial Avenue Road Improvements Project (the “Project”); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township Council formally approves the grant application for the above stated Project; and

BE IT FURTHER RESOLVED that the appropriate municipal officials and Clerk are hereby authorized to submit an electronic grant application identified as (LFIF-2020-Centennial Avenue Road Improvements - 00022) to the NJDOT on behalf of the Township of Piscataway; and

BE IT FURTHER RESOLVED that the appropriate municipal officials and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Piscataway and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION #19-387

WHEREAS, the Township of Piscataway (the “Employer”) by resolution is adopting a Deferred Compensation Plan (the “Plan”) for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Economic Growth and Tax Relief Reconciliation Act of 2001, the 2005 final regulations issued under the Uniformed Services Employment and Reemployment Rights Act of 1994, the Pension Protection Act of 2006, final Treasury Regulation §1.457-4, the Heroes Earnings Assistance and Relief Tax Act of 2008, the Worker, Retiree and Employer Recovery Act of 2008 and the Small Business Act of 2010 amended sections of the Internal Revenue Code (the “Code”) and the rules and/or regulations issued thereunder affecting Section 457 Deferred Compensation Plans (the “Acts and Regulations”); and

WHEREAS, the Employer desires its Plan to conform the Code and Treasury regulations brought about by the Acts and Regulations; and

WHEREAS, the Employer desires to adopt a Plan that conforms with the changes in the Code and Treasury regulations resulting from the Acts and Regulations; 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 adopt Plan 92-PD-Lincoln-121316; and

BE IT FURTHER RESOLVED that Lincoln Retirement Services, LLC (hereinafter referred to as “Lincoln”) has agreed to be the provider of the Deferred Compensation Program for employees and elected officials; and

BE IT FURTHER RESOLVED that Lincoln will provide for the benefit of the participants of the Alliance LincOn account; and

BE IT FURTHER RESOLVED that in accordance with N.J.A.C. 5:37-7.1(a) the Township of Piscataway solicited proposals for a Deferred Compensation Plan and Service Agreement from four (4) providers (American Fidelity, Mass Mutual, Prudential, and Lincoln Financial) of deferred compensation services. The only vendor that responded to the request for proposals was Lincoln. Thus, the successful vendor is Lincoln. The Township CFO reviewed the proposal submitted and met with representatives of the responding company. Lincoln was selected because of the high level of service, features and flexibility of the investment options for plan participants and recommendations from other municipal government units; and

BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln in the selection of a provider pursuant to N.J.A.C. 5:37 - 5.7; and

BE IT FURTHER RESOLVED that the Township CFO is authorized to execute an Administrative Services Agreement with Lincoln (92-SA-Lincoln-121316) and such other agreements as are necessary to implement the Deferred Compensation Program.

It is implicitly understood that there is to be no cost or contribution by the Employer to the program; and

BE IT FURTHER RESOLVED that the Township CFO is authorized to serve as the “Administrator” of the plan, represent the Employer, and execute individual deferred compensation agreements with each said employee; and

BE IT FURTHER RESOLVED by the Employer that the Clerk forward a certified true copy of this resolution to the Township CFO; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services at P.O. Box 803; Trenton, NJ 08625-0803.

RESOLUTION #19-388

WHEREAS, the Tax Collector is requesting authorization to refund the overpayment as listed below

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
506	3		ANDREW BROWN 1407 REDWOOD DR	2019	237.94	2017 HOMESTEAD REBATE—NOW 100% EXEMPT
613	47.01		SAVILL GRIFFIN 401 ADRIAN AVE	2019	154.29	2017 HOMESTEAD REBATE—NOW 100% EXEMPT
2602	50.01		DENNIS GILBERT 188 N RANDOLPHVILLE RD	2019	243.82	2017 HOMESTEAD REBATE—NOW 100% EXEMPT
8502	7		FRANCIS PRESTER 503 NEW DURHAM RD	2019	192.13	2017 HOMESTEAD REBATE—NOW 100% EXEMPT

THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to cancel the taxes and hereby authorized to adjust the records accordingly.

RESOLUTION #19-389

WHEREAS, Metropolitan Communications Group, West Chester, PA has completed their project at Possumtown Road and Conrail Railroad regarding Fiber Optic Permit #F-167; and

WHEREAS, pursuant to Requests for Release of Funds dated September 4, 2019 and a Memorandum from the Senior Assistant Township Engineer dated September 6, 2019, copies of which are attached hereto and made a part hereof, said Senior Assistant Township Engineer advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$330.49 be returned to Metropolitan Communications Group; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to return unexpended engineering and inspection fee funds to Metropolitan Communications Group, in the amount of \$330.49, regarding Fiber Optic Permit #F-167.

RESOLUTION #19-390

WHEREAS, Middlesex Borough has accrued interest and penalties, in the amount of \$52,971.41, in regard to the late payment of a sewer bill from 2018; and

WHEREAS, the Township of Piscataway (the “Township”) wishes to waive said interest and penalties; 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 waive the interest and penalties accrued by Middlesex Borough, in the amount of \$52,971.41, in regard to the late payment of a sewer bill from 2018.

RESOLUTION #19-391

WHEREAS, the Township of Piscataway (the “Township”) wishes to obtain a Historic Preservation and Capital Grant from Middlesex County (the “County”) for the Metlar-Bodine House Loft Rehabilitation Project (the “Project”); and

WHEREAS, the County has a limit of \$15,000.00 that they can provide to the Township in regard to the Project; and

WHEREAS, in order to fully complete the Project, the Township must supply a cash match of \$23,000.00; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township Council formally approves the grant application for the above stated Project; and

BE IT FURTHER RESOLVED that the appropriate municipal officials and Clerk are hereby authorized to submit a Historic Preservation and Capital Grant application to Middlesex County on behalf of the Township of Piscataway; and

BE IT FURTHER RESOLVED that the appropriate municipal officials and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Piscataway and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement; and

BE IT FURTHER RESOLVED that the Township shall provide the cash match, in the amount of \$23,000.00, in order to fully complete the Metlar-Bodine House Loft Rehabilitation Project.

RESOLUTION #19-392

WHEREAS, the Township of Piscataway (the "Township") is in need of 2019 Street Tree Replacements (the "Trees"); and

WHEREAS, the Township Landscape Architect recommends awarding a contract for the Trees through Middlesex Regional Education Services Commission Bid #ESCNJ 16/17-23 to JCW, Inc. dba Natural Green Lawn Care, Bridgewater, NJ in the amount not to exceed \$29,555.00; and

WHEREAS, the Township is in need of 2019 Landscape Replacements and Maintenance (the "Landscaping"); and

WHEREAS, the Township Landscape Architect recommends awarding a contract for the Landscaping through Middlesex Regional Education Services Commission Bid #ESCNJ 16/17-23 to JCW, Inc. dba Natural Green Lawn Care, Bridgewater, NJ in the amount not to exceed \$31,445.00; 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-2019-0104 and R-2019-0105;

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 JCW, Inc. dba Natural Green Lawn Care, Bridgewater, NJ for the 2019 Street Tree Replacements, in the amount not to exceed \$29,555.00, through Middlesex Regional Education Services Commission Bid #ESCNJ 16/17-23; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to enter into a contract with JCW, Inc. dba Natural Green Lawn Care, Bridgewater, NJ for the 2019 Landscape Replacements and Maintenance, in the amount not to exceed \$31,445.00, through Middlesex Regional Education Services Commission Bid #ESCNJ 16/17-23.

RESOLUTION #19-393

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Terminal Construction Corporation, Wood Ridge, NJ for the Construction of the Piscataway Community and Cultural Arts Center (the "Project"), in an amount not to exceed \$30,610,000.00; and

WHEREAS, additional work was necessary for the Project, for the installation of a Splash Park at the Community and Cultural Arts Center, which was not included in the original scope of work outlined by the Township and not anticipated in the proposal from Terminal Construction Corporation 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 \$3,429,409.37 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$34,039,409.37, a 10.07% 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 September 16, 2019, from the Assistant Director of Public Works, said Assistant Director of Public Works recommends approving the Change Order Request No. 1; and

WHEREAS, funds are available pursuant to certification # B-2018-035-01;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the Splash Park at the Piscataway Community and Cultural Arts Center Project with Terminal Construction Corporation, Wood Ridge, NJ from \$30,610,000.00 to a final total not to exceed \$34,039,409.37 and execute the enclosed Contract Change Order in the amount of \$3,429,409.37, subject to all bid specifications and contract documents.

RESOLUTION #19-394

WHEREAS, the Township Director of Public Works has advised that the Township is in need of rock salt; and

WHEREAS, pursuant to a Recommendation to Award Contract dated August 28, 2019, 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 2019 Rock Salt Supply on an as-needed basis under the Somerset County Cooperative Purchasing Program Contract #CC-0054-18 Bid No. 2-SOCCP to Atlantic Salt, Inc., Lowell, MA at the unit price specified in the above coop bid contract, in the amount not to exceed \$50,000.00 through December 31, 2019; and

WHEREAS, pursuant to a Recommendation to Award Contract dated August 28, 2019, 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 2020 Rock Salt Supply on an as-needed basis under the Somerset County Cooperative Purchasing Program Contract #CC-0054-18 Bid No. 2-SOCCP to Atlantic Salt, Inc., Lowell, MA at the unit price specified in the above coop bid contract, in the amount not to exceed \$125,000.00 from January 1, 2020 to October 23, 2020; and

WHEREAS, funds are available pursuant to certification # R-2019-0112;

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 Open-End contracts for as-needed purchase of 2019 Rock Salt Supply, through December 31, 2019 and 2020 Rock Salt Supply from January 1, 2020 to October 23, 2020 to Atlantic Salt, Inc., Lowell, MA through the Somerset County Cooperative Purchasing Program Contract #CC-0054-18 Bid No. 2-SOCCP, in the amounts not to exceed \$50,000.00 and \$125,000.00, respectively, subject to all bid specifications and contract documents.

RESOLUTION #19-395

WHEREAS, the Township of Piscataway requires Professional Construction Management Services in regard to the Municipal Complex Parking Lot Improvements – Contract 1 (the "Project"); and

WHEREAS, CME Associates has submitted a proposal dated September 16, 2019, for Construction Management Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$109,470.00; and

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

WHEREAS, there is funding available pursuant to certification # R-2019-0108;

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 Construction Management Services in regard to the Municipal Complex Parking Lot Improvements – Contract 1, at the rates set forth in said Proposal, with such services not to exceed \$109,470.00.

RESOLUTION #19-396

WHEREAS, on September 4, 2019, the Township of Piscataway (the “Township”) received five (5) bids for the Johnson Avenue Drainage Improvements; and

WHEREAS, the Township Supervisor of Engineering recommended that, pursuant to N.J.S.A. 40A:11-13.2(b), the Township reject the bid as it substantially exceeds the Township’s appropriation for the goods or services; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to reject the bid for the Johnson Avenue Drainage Improvements for substantially exceeding the Township’s appropriation for the goods and services, and to authorize the Township to rebid for same.

RESOLUTION #19-397

WHEREAS, the Township Council of the Township of Piscataway has previously adopted Resolution 19-270 accepting the bid of New Cingular Wireless Pcs, LLC, a/k/a AT&T for the construction of a wireless monopole and the execution of a Communications Site Lease Agreement with the Township; and

WHEREAS, the cellular monopole and telecommunications equipment accessory thereto will be located within an at-grade compound partially on land owned by the New Market Vol. Fire Co. 1, Exempt Firemen, Inc. (hereinafter referred to as “Fire Co.”), commonly known as 801 South Washington Avenue and designated as Lot 135.02 in Block 1503 on the Township Tax Map, and partially within an existing unimproved street known as Quibble Road, a portion of which is to be vacated and owned both by the Fire Co. and the Township of Piscataway; and

WHEREAS, an Agreement has been reached between the Township and the Fire Co. which provides for locating the cellular monopole and telecommunications equipment on the land to be vacated; the sharing of the rent revenue from the said Lease by Fire Co. and the Township; and the paving of Fire Co.’s parking lots by the Township, at Fire Co.’s expense; and

WHEREAS, the execution and delivery of said Agreement will be in the best interests of the residents of the Township.

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 the Agreement with New Market Vol. Fire Co. 1, Exempt Firemen, Inc. in substantially the same form as annexed hereto.

RESOLUTION #19-398

WHEREAS, on July 23, 2019, The Township Council of the Township of Piscataway adopted Resolution #19-316, authorizing the Piscataway Township Planning Board to undertaken an investigation to determine whether certain specified property designated as Lot 14.02 in Block 5402 on the Piscataway Township Tax Map, and located at 1060 Stelton Road (hereinafter the “Study Area”), should be delineated as a Non-Condemnation Area in Need of Redevelopment, pursuant to the “Local Redevelopment and Housing Law”, N.J.S.A. 40A:12A-1, *et seq.*; and

WHEREAS, the Piscataway Township Planning Board conducted a preliminary investigation of the Study Area pursuant to N.J.S.A. 40A:12A-5 and 12A-6, as more particularly set forth in a report prepared by Steven Gottlieb, PP, LLA, the Planning Board’s consultant, dated July 30, 2019 (the “Report”); and

WHEREAS, the Piscataway Township Planning Board made a determination by its Resolution adopted on September 11, 2019, that the Study Area be designated as a non-condemnation area in need of redevelopment pursuant to the recommendation contained in the Report, said designation being made pursuant to the aforesaid statute; and

WHEREAS, the Township Council of the Township of Piscataway has reviewed the Report and the Piscataway Township Planning Board Resolution adopted and memorialized on September 11, 2019,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that the Piscataway Township Council concurs with the determination of the Piscataway Township Planning Board, that the Property identified within the Study Area referred to in the aforesaid Planning Board Resolution and the Report, is a non-condemnation area in need of redevelopment as defined in N.J.S.A. 40A:12A-1 *et seq.* and independently

makes that determination of its own accord because the Study Area evidences conditions which fall within certain criteria set forth in the Local Redevelopment and Housing Law, specifically, criteria (a), (b), (d) and (h); and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Study Area shall continue to be reviewed as a non-condemnation redevelopment area and the Council hereby directs the Piscataway Township Planning Board to prepare a redevelopment plan for the Study Area.

RESOLUTION #19-399

WHEREAS, on July 23, 2019, The Township Council of the Township of Piscataway adopted Resolution #19-317, authorizing the Piscataway Township Planning Board to undertake an investigation to determine whether certain specified property designated as Lot 5.05 in Block 4701 on the Piscataway Township Tax Map, and located at 330 South Randolphville Road (hereinafter the "Study Area"), should be delineated as a Non-Condensation Area in Need of Redevelopment, pursuant to the "Local Redevelopment and Housing Law", N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, the Piscataway Township Planning Board conducted a preliminary investigation of the Study Area pursuant to N.J.S.A. 40A:12A-5 and 12A-6, as more particularly set forth in a report prepared by Steven Gottlieb, PP, LLA, the Planning Board's consultant, dated August 1, 2019 (the "Report"); and

WHEREAS, the Piscataway Township Planning Board made a determination by its Resolution adopted on September 11, 2019, that the Study Area be designated as a non-condemnation area in need of redevelopment pursuant to the recommendation contained in the Report, said designation being made pursuant to the aforesaid statute; and

WHEREAS, the Township Council of the Township of Piscataway has reviewed the Report and the Piscataway Township Planning Board Resolution adopted and memorialized on September 11, 2019,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that the Piscataway Township Council concurs with the determination of the Piscataway Township Planning Board, that the Property identified within the Study Area referred to in the aforesaid Planning Board Resolution and the Report, is a non-condemnation area in need of redevelopment as defined in N.J.S.A. 40A:12A-1 et seq. and independently makes that determination of its own accord because the Study Area evidences conditions which fall within certain criteria set forth in the Local Redevelopment and Housing Law, specifically, criteria (a), (d) and (h); and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Study Area shall continue to be reviewed as a non-condemnation redevelopment area and the Council hereby directs the Piscataway Township Planning Board to prepare a redevelopment plan for the Study Area.

RESOLUTION #19-400

WHEREAS, on September 19, 2019, the Township of Piscataway received no bids for the Snowplowing Services Project; 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 re-advertise a bid request for the Snowplowing Services Project.

RESOLUTION #19-401

WHEREAS, in regard to the 2019-2021 Road Program for Curbs, Sidewalk, Driveway, and ADA Ramps Improvements Project (the "Project"), Abraham General Construction ("Abraham") left sidewalks, curbs, driveways and roadway improvements unfinished on Park Avenue between Witherspoon Street and Ludlow Street; and

WHEREAS, the unfinished work created a public safety issue for persons travelling on Park Avenue between Witherspoon Street and Ludlow Street, thus the Township requested a proposal for the repairs of the unfinished work; and

WHEREAS, M-Sky, Lake Hopatcong, NJ provided a proposal and completed the work along Park Avenue to restore a safe corridor; and

WHEREAS, N.J.S.A. 40A:11-6 allows the Township of Piscataway to award emergency contracts where it affects the public health, safety or welfare; and

WHEREAS, the Director of the DPW and the Business Administrator approved the emergency services as specified in the Certification of Request for Emergency Purchases, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Director of DPW recommends that a purchase order for M-Sky, Lake Hopatcong, NJ be created for an amount not to exceed \$39,956.11; and

WHEREAS, as agreed with Abraham's bonding company, funding for this emergency work shall be deducted from the previously allocated funds for the Township's contract with Abraham; and

WHEREAS, funds are available pursuant to certification # _____; 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 emergency contract with M-Sky, Lake Hopatcong, NJ, for emergency construction to restore a safe corridor on Park Avenue between Witherspoon Street and Ludlow Street, in the amount not to exceed \$39,956.11, subject to all contract documents.

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

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Mr. Bullard congratulated Amy Bauman on volunteer of the year award for the county.

Mrs. Lombardi very proud of Money Magazine's 100 best places to live

Mrs. McCullum reminding everyone to register to vote.

OPEN TO PUBLIC:

Anthony Weil 2250 Plainfield Ave N, asking about change order for community center. Mr. Dacey explained current phase is 4 months ahead so starting next phase early.

Fred White, 607 Ellis Parkway, spoke of simple things that can be done for better air quality.

James Boyle, Rutgers student spoke to savings in New Brunswick. Conversation ensued with Tim Dacey regarding needing to know town's profile to know actually savings.

Ann Bastian, 113 Fountain Ave, concerned the council has refused to commit to timeline for renewable energy. She spoke to needing the council to lead and do their job

Staci Berger, 233 Ellis Parkway, concerned council will tell untruths. States money should not be the only factor. Heated discussion with council ensued.

Junior Romero, 100 Bayard St, urged Council to vote yes for renewable energy standard.

Charles Kratovil, New Brunswick editor, following up on announcement on website that Mayor Wahler was blasting Rutgers for expanding alcohol sales and wants to know how he feels about policy now that it has been passed. Tim Dacey spoke on the work they did with Rutgers to reach compromise. Asked about litigation between Piscataway and Rutgers. Raj explained it's regarding sewer usage and connection fees.

Laura Leibowitz, 102 Stratton St S, spoke on Good Energy and PSE&G and that council should not support Good Energy.

Herb Tarbous, 411 New Durham Rd, states he does not trust elected officials. Political organization is corrupt headed by Ted Light. Use of the county line is a corrupt way to go about business.

Sid Madison, 176 Blackford Ave, asked council to act on resolution that has Gov Murphy declaring moratorium on fossil fuel projects in NJ. Cost should not be the criteria.

There being no further business to come before the council, the meeting was adjourned at 8:38 pm on motion of Mrs. Lombardi, seconded by Mr. Shah, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

Frank Uhrin
Council President