

October 15, 2019

A Regular Meeting of the Piscataway Township Council was held on October 15, 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, Cahn, 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.

Mayor Wahler read the following proclamation:
WHEREAS, pharmacy exists as one of the oldest healthcare professions centered around proper medication use and patient care as its primary pillars; and
WHEREAS, today there are over 12,000 licensed pharmacists in the state of New Jersey providing services to assure the safe use of all medications; and
WHEREAS, more than 1200 pharmacy students have taken the initiative and the lead in many patient care advancements such as redefining opioid education and providing disaster relief to our nation's families; and
WHEREAS, the use of medications, a cost effective alternative to more expensive medical procedures is becoming a major force in moderating overall health care costs; and
WHEREAS, it is vital for patients to have a thorough understanding of their medications, other alternatives that may work for them, as well as how to properly and safely use their prescribed medication; and
WHEREAS, today's powerful medications require greater attention to the manner in which they are used by different patient population groups both clinically and demographically; and
WHEREAS, it is important that all users of prescription and nonprescription medications, or their caregivers, be knowledgeable about and share responsibility for their own drug therapy; and
WHEREAS, pharmacists are also equipped with the ability to assist other health care professionals in ensuring proper medication use and accessibility due to the diversity of knowledge and practice to which they are exposed; and
WHEREAS, The American Pharmacists Association and the New Jersey Pharmacists Association, Rutgers University Chapter have declared October as American Pharmacists Month.
NOW, THEREFORE, I, Brian C. Wahler, Mayor of the Township of Piscataway and the Piscataway Township Council do hereby proclaim October as AMERICAN PHARMACISTS MONTH and encourage all residents to acknowledge the valuable services of pharmacists to provide safe, affordable and beneficial pharmaceutical care services and products to all.

The Clerk read for SECOND 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

BE IT ORDAINED, by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter X, Section 10.12.1(b), Open Burning and Fires is hereby supplemented to read as follows:

10.12 Open Burning and Fires:

10.12.1 Permitted and Prohibited Fires . . .

(b). The aforesaid prohibition does not apply to:

* * *

9. Use of Fireworks permitted by New Jersey State Statute, Title 21 §3.2.

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 provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

BE IT FURTHER ORDAINED that this Ordinance shall take effect 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 ORDINANCE SUPPLEMENTING CHAPTER X (10), HEALTH REGULATIONS OF THE REVISED GENERAL ORIDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

RESOLUTION offered by Mr. Bullard, seconded by Mr. Cahn, BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that: ORDINANCE SUPPLEMENTING CHAPTER X (10), HEALTH REGULATIONS OF THE REVISED GENERAL ORIDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY was introduced on the 24th day of September, 2019 and had passed the first reading and was published on the 30th day of September, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on October 15, 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. 19-25.

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

The Clerk read for SECOND 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.

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, that Chapter XXXI, Section 1.5 Insurance Required is hereby amended to read as follows:

31-1.5 Insurance Required.

- a. Except as hereinafter provided, no permit for street opening shall be issued by the Director until the applicant therefore shall have first placed on file with the Director, without cost to the Township, satisfactory evidence:
 - 1. Of public liability insurance in the amount of not less than three million (\$3,000,000.00) dollars for any (1) occurrence.
 - 2. Of property damage insurance in the amount of not less than one million (\$1,000,000.00) dollars for any one (1) occurrence.
 - 3. Of automobile liability insurance in the combined single limit of one million (\$1,000,000.00) dollars for each accident.
- b. No permit for street opening for the purposes of sidewalk replacement or sump pump pipe discharge location for a one- or two-family residential use shall be issued by the Director until the applicant therefore shall have first placed on file with the Director, without cost to the Township, satisfactory evidence:

1. Of public liability insurance in the amount of not less than two million (\$2,000,000.00) dollars for any (1) occurrence.
 2. Of property damage insurance in the amount of not less than one million (\$1,000,000.00) dollars for any one (1) occurrence.
 3. Of automobile liability insurance in the combined single limit of one million (\$1,000,000.00) dollars for each accident.
- c. The Township shall be included as an additional insured under the general liability and any umbrella liability coverages, and each certificate of liability insurance shall so state and indicate that the basis for the additional insured coverage is based upon the Township Ordinance requiring same.
 - d. No policy of insurance shall include a waiver of subrogation provision.
 - e. The insurance must be approved as to form, correctness and adequacy by the Director of Law or his designee to insure the Township against any loss, injury or damage arising out of the granting of the permit or from any negligence or fault of the applicant, his agents, servants or employees, in connection with the street opening or with any work related thereto.
 - f. Such insurance shall remain in force throughout the effective period of the permit as well as any authorized extensions thereof and shall carry an endorsement to the effect that the insurance company will give at least ten (10) days written notice to the Township of any modification or cancellation.

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 AND STATE OF NEW JERSEY, AMENDING CHAPTER XXXI (31), SECTION 1.5 INSURANCE REQUIRED. RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Shah, 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 was introduced on the 24th day of September, 2019 and had passed the first reading and was published on the 30th day of September, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on October 15, 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. 19-26.

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

RESOLUTION #19-425

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 October 15, 2019 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Renewal of Contract for Prescription, Health and Dental Insurance – Horizon Blue Cross Blue Shield of New Jersey – January 1, 2020 to December 31, 2020 – per Rate Schedule.
- b. RESOLUTION – Authorizing Refund of Overpayment of Taxes – Various Blocks and Lots.
- c. RESOLUTION - RESOLUTION – Authorizing Return of Sterling Village Security Deposit:
 - Richard Maas – Apt. 209.
 - Arlene Brandel – Apt. 304.
 - Barbara Smith – Apt. 219.
- d. RESOLUTION – Authorizing Shared Service Contract with Middlesex County for Public Health Services – January 1, 2020 through December 31, 2021 – 2020 - \$439,372.27 and 2021 - \$448,159.71.
- e. RESOLUTION – Authorizing Return of Soil Erosion/Sediment Control Bond:
 - Pravin Karsalia – Block 8208, Lot 7 – 8 Fuller Avenue.
- f. RESOLUTION – Authorizing Return of Performance Surety Cash Bonds for Off-Site Improvements:
 - Suttons II, LLC – Block 9301, Lot 51.02 – 41 Suttons Lane – 1 of 2.
 - Suttons II, LLC – Block 9301, Lot 51.02 – 41 Suttons Lane – 2 of 2.
- g. RESOLUTION – Authorizing Return of Engineering and Inspection Fees:
 - 41 Suttons Lane Associates, LLC – Block 9301, Lot 51.02 – 41 Suttons Lane.
- h. RESOLUTION – Authorizing Chapter 159 – New Jersey Preservation Grant – Metlar House - \$175,000.00.
- i. RESOLUTION – Authorizing Chapter 159 – FY2021 Municipal Alliance Grant - \$47,399.00.
- j. RESOLUTION – Authorizing Return of Cash Bonds:
 - Foley, Inc. – Block 4001, Lot 4 – 855 Centennial Avenue 14-ZB-01V
 - Foley, Inc. – Block 4001, Lot 3.01 – 855 Centennial Avenue 14-ZB-02V
- k. RESOLUTION – Authorizing Return of Maintenance Bond:
 - Foley, Inc. – Block 4001, Lot 3.01 – 855 Centennial Avenue 05-PB-09/10V
- l. RESOLUTION – Authorizing Return of Performance Surety and Cash Bonds:
 - Foley, Inc. – Block 4001, Lot 3.01 – 855 Centennial Avenue
- m. RESOLUTION – Authorizing Return of Escrow Fees:
 - M & M Realty Partners at Piscataway, LLC – Block 5701, Lot 2 – 1690 South Washington Avenue.
 - JSM @ Fairways, LLC – Block 744, Lot 44.14 – 1650 Stelton Road.
- n. RESOLUTION – Authorizing Change Order #1 – New Market Dam Retaining Wall and Parking Lot Improvements – Stilo Paving and Excavating – Not to Exceed \$19,948.00.
- o. RESOLUTION – Authorizing Negotiating Contracts for Snowplowing Services.
- p. MOTION – Accept Report of Clerk’s Account – September 2019.
- q. MOTION – Accept Report of the Division of Revenue – September 2019.

- r. MOTION – Receive and Enter into Minutes Disbursements for the Month of September 2019.
- s. MOTION – Accept Minutes May to June 2019.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that each of the above-listed Resolutions, Motions or Proclamations be approved and adopted by the Township Council, with the same legal effect as through each was read in its entirety at the October 15, 2019 Regular meeting and adopted by separate vote.

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

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

RESOLUTION #19-426

WHEREAS, by prior resolution of the Township Council, the Township of Piscataway entered into a contract for Prescription, Health and Dental Insurance Coverage with HORIZON BLUECROSS BLUESHIELD OF NEW JERSEY; and

WHEREAS, the Administration has advised of the need to renew the Prescription, Health, and Dental Insurance Coverage as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Business Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00 (hereinafter the “Determination of Value”); and

WHEREAS, the Administration has recommended and requested that the contract between the Township and HORIZON BLUECROSS BLUESHIELD OF NEW JERSEY be renewed for the period January 1, 2020 to December 31, 2020, at the rates set forth on the annexed Exhibit “A”; and

WHEREAS, the Township Council of the Township of Piscataway is of the opinion that such agreement is in all respects in the public interest; and

WHEREAS, HORIZON BLUECROSS BLUESHIELD OF NEW JERSEY has completed and submitted a Business Entity Disclosure Certification which certifies that HORIZON BLUECROSS BLUESHIELD OF NEW JERSEY has not made any reportable contributions to a political or candidate committee in the Township of Piscataway in the previous one year, and that the contract will prohibit HORIZON BLUECROSS BLUESHIELD OF NEW JERSEY from making any reportable contributions through the term of the contract; and

WHEREAS, the Director of Finance has certified that sufficient funds are available for this purpose, a copy of said Certification being appended hereto and made a part hereof; and

WHEREAS, the New Jersey Local Public Contracts Law, specifically N.J.S.A. 40A:11-5, exempts contracts for insurance from public bidding requirements; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway as follows:

1. The Mayor and other appropriate officials be and the same are hereby authorized to enter into an agreement to renew the contract for Prescription, Health and Dental Insurance Coverage with HORIZON BLUECROSS BLUESHIELD OF NEW JERSEY for the period January 1, 2020 to December 31, 2020, at the rates set forth on the annexed Exhibit “A”; and
2. This contract is being awarded without competitive bids as a contract for the provision of insurance under the provisions of the Local Public Contracts Law, more specifically addressed in the body of this resolution; and
3. The final form of contract for these services shall be subject to the review and approval of the Township Attorney; and
4. Notice of this Resolution shall be published as required by law.

BE IT FURTHER, RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution.

RESOLUTION #19-427

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

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
402	30.01		JOAN BECK	2019	99.66	2017 HOMESTEAD

REBATE—Lot sold

31 WALNUT ST

2606	7	JOAN WHITE	2019	228.09	2017 HOMESTEAD REBATE—Lot sold
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103 HADLEY ST

8502	2	MATEE JACKSON DWANAH	2019	139.00	Lot sold in March, paid Sept sewer.
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10 CHARLES TERR

2809	7	RAUL CAMPIZ	2019	218.28	2017 HOMESTEAD REBATE—Lot sold
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161 MOUNTAIN AVE

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

RESOLUTION #19-328

WHEREAS, Richard Maas & Luz Maria Maas request the return of a Security Deposit in the amount of \$784.06, posted with the Township of Piscataway for Apartment 209 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$779.06, to Richard Maas & Luz Maria Maas with \$5.00 being retained by the Township for failure to return the mailbox key; and

WHEREAS, Arlene Brandel requests the return of a Security Deposit in the amount of \$925.64, posted with the Township of Piscataway for Apartment 304 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$925.64, to Arlene Brandel; and

WHEREAS, Barbara Smith requests the return of a Security Deposit in the amount of \$876.52, posted with the Township of Piscataway for Apartment 219 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$876.52, to Barbara Smith; 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 Richard Maas & Luz Maria Maas, in the amount of \$779.06, and to release \$5.00 to the Township for failure to return the mailbox key, in regard to Apartment 209 at Sterling Village; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release said Security Deposit to Arlene Brandel, in the amount of \$925.64, in regard to Apartment 304 at Sterling Village; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release said Security Deposit to Barbara Smith, in the amount of \$876.52, in regard to Apartment 219 at Sterling Village.

RESOLUTION #19-429

WHEREAS, pursuant to the authority contained in the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., the Township of Piscataway deems it to be in the public interest to enter into an Shared Service Agreement with Middlesex County for the purpose of providing health services of a technical and professional nature at a base cost not to exceed \$439,372.27 for the period of January 1, 2020 through December 31, 2020 and \$448,159.71 for the period of January 1, 2021 to December 31, 2021; and

WHEREAS, public health services are beneficial to the residents of Piscataway; and

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 all documents necessary to enter into an Shared Service Agreement with Middlesex County for the purpose of providing health services of a technical and professional nature not to exceed \$439,372.27 for the period of January 1, 2020 to December 31, 2020 and \$448,159.71 for the period of January 1, 2021 to December 31, 2021; and

BE IT FURTHER RESOLVED that a copy of said Shared Service Agreement shall be available for public inspection at the office of the Township Clerk; and

BE IT FURTHER RESOLVED that the final form of said Shared Service Agreement shall be subject to the review and approval of the Township Director of Law.

RESOLUTION #19-430

WHEREAS, Pravin Karsalia, Colonia, NJ, requests the return of a Soil Erosion/Sediment Control Bond in the amount of \$1,000.00, posted on March 7, 2019 with the Township of Piscataway for improvements for Block 8208, Lot 7 (8 Fuller Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated October 2, 2019 and a Memorandum from the Township Supervisor of Engineering dated October 2, 2019, copies of which are attached hereto and made a part hereof, the Supervisor of Engineering advised that the necessary inspections and approvals have been made, and therefore recommended the return of said Soil Erosion/Sediment Control Bond to Pravin Karsalia; 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 Soil Erosion/Sediment Control Bond in the amount of \$1,000.00 to Pravin Karsalia, Colonia, NJ, regarding Block 8208, Lot 7 (8 Fuller Avenue).

RESOLUTION #19-431

WHEREAS, Suttons II, LLC, Piscataway, NJ requests the release of Cash Bonds in the original amounts of \$17,825.57 and \$1,980.00, which were posted with the Township of Piscataway on February 28, 2018, regarding Planning Board Application #17-PB-09 for Block 9301, Lot 51.02 (41 Suttons Lane); and

WHEREAS, pursuant to a Request for Release of Funds dated July 2, 2019 and a letter from the Township Supervisor of Engineering dated October 2, 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 Bonds; 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 \$17,938.06 (including accrued interest), to Suttons II, LLC, Piscataway, NJ, regarding Planning Board Application #17-PB-09; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release a Cash Bond in the amount of \$1,980.00, to Suttons II, LLC, Piscataway, NJ, regarding Planning Board Application #17-PB-09.

RESOLUTION #19-432

WHEREAS, 41 Suttons Lane Associates, LLC, Piscataway, NJ has completed their project on Block 9301, Lot 51.02 (41 Suttons Lane) regarding Planning Board Application #17-PB-09; and

WHEREAS, pursuant to Requests for Release of Funds dated July 2, 2019 and a Memorandum from the Township Supervisor of Engineering dated October 3, 2019, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$3844.74 be returned to Suttons II, LLC; 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 Suttons II, LLC, Piscataway, NJ, in the amount of \$3844.74, regarding Planning Board Application #17-PB-09.

RESOLUTION #19-433

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the Township of Piscataway has received notice of an award of \$175,000.00 from the **New Jersey Historic Trust, Department of Community Affairs** and wishes to amend its **Calendar Year 2019** Budget to include this amount as revenue, and

NOW, THEREFORE, BE IT RESOLVED, that the *Township Council* of the Township of Piscataway in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **Calendar Year 2019** in the sum of \$ **175,000.00**, which is now available from **New Jersey Historic Trust, Department of Community Affairs**, in the amount of \$175,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$ **175,000.00** is hereby appropriated under the caption; “**New Jersey Preservation Grant - Metlar House**”; and

BE IT FURTHER RESOLVED, that the above is the result of funds from “**New Jersey Preservation Grant - Metlar House** in the amount of \$ **175,000.00**.”

RESOLUTION #19-434

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the Township of Piscataway has received notice of an award of \$47399.00 from the **Governor's Council On Alliance & Drug Abuse, thru County of Middlesex, Dept of Community Services** and wishes to amend its **Calendar Year 2019** Budget to include this amount as revenue, and

NOW, THEREFORE, BE IT RESOLVED, that the *Township Council* of the Township of Piscataway in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **Calendar Year 2019** in the sum of \$ **47,399.00**, which is now available from **Governor's Council On Alliance & Drug Abuse, thru County of Middlesex, Dept of Community Services**, in the amount of \$47,399.00.

BE IT FURTHER RESOLVED, that the like sum of \$ **47,399.00** is hereby appropriated under the caption; “**FY2021 Municipal Alliance Grant**”; and

BE IT FURTHER RESOLVED, that the above is the result of funds from “**FY2021 Municipal Alliance Grant** in the amount of \$ **47,399.00**.”

RESOLUTION #19-435

WHEREAS, Foley Incorporated, Piscataway, NJ requests the release of a Cash Bond in the original amount of \$2,400.00, which was posted with the Township of Piscataway on August 8, 2014, regarding Zoning Board Application #14-ZB-01V for Block 4001, Lot 4 (855 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated October 4, 2019 and a letter from the Township Supervisor of Engineering dated October 7, 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

WHEREAS, Foley Incorporated, Piscataway, NJ requests the release of a Cash Bond in the original amount of \$1,200.00, which was posted with the Township of Piscataway on August 8, 2014, regarding Zoning Board Application #14-ZB-02V for

Block 4001, Lot 3.01 (855 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated October 4, 2019 and a letter from the Township Supervisor of Engineering dated October 7, 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 that the appropriate municipal officials be and are hereby authorized to release a Cash Bond in the amount of \$2,400.00, to Foley Incorporated, Piscataway, NJ, regarding Zoning Board Application #14-ZB-01V; 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 release a Cash Bond in the amount of \$1,200.00, to Foley Incorporated, Piscataway, NJ, regarding Zoning Board Application #14-ZB-02V.

RESOLUTION #19-436

WHEREAS, Foley Incorporated, Piscataway, NJ, requests the release of a Maintenance Bond in the original amount of \$2,505.00, which was posted with the Township of Piscataway on July 24, 2013 for Planning Board Application #05-PB-09/10V regarding improvements for Block 4001, Lot 3.01 (855 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated October 4, 2019 and a letter from the Township Supervisor of Engineering dated October 4, 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 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 Bond in the amount of \$2,505.00, to Foley Incorporated, Piscataway, NJ, regarding Planning Board Application #05-PB-09/10V.

RESOLUTION #19-437

WHEREAS, Foley Incorporated, Piscataway, NJ, requests the release of a Performance Surety Bond in the original amount of \$5,616.00 and a Cash Bond in the original amount of \$624.00, which were posted with the Township of Piscataway on March 28, 2014 and April 17, 2014, respectively, regarding improvements for Block 4001, Lot 3.01 (855 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated October 4, 2019 and a letter from the Township Supervisor of Engineering dated October 7, 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 \$5,616.00 and said Cash Bond in the amount of \$624.00 to Foley Incorporated, Piscataway, NJ, regarding improvements for Block 4001, Lot 3.01 (855 Centennial Avenue).

RESOLUTION #19-438

WHEREAS, on February 25, 2016, M & M Realty Partners, LLC, Piscataway, NJ posted an escrow check with the Township of Piscataway in the amount of \$27,750.00, regarding Zoning Board Application #15-ZB-59/60V for Block 5701, Lot 2 (1690 South Washington Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated August 15, 2019 and a Memorandum from the Township Supervisor of Planning dated October 4, 2019, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$7,802.34 to M & M Realty Partners, LLC, Piscataway, NJ; and

WHEREAS, on February 16, 2010, March 11, 2010, April 21, 2010, January 28, 2011, and October 4, 2011, JSM at Fairways, LLC, Piscataway, NJ posted escrow

checks with the Township of Piscataway in the amounts of \$4,000.00, \$2,000.00, \$5,000.00, \$2,600.00, and \$500.00, regarding Zoning Board Application #09-ZB-66/67V for Block 744, Lot 44.14 (1650 Stelton Road); and

WHEREAS, pursuant to a Request for Release of Funds dated May 10, 2019 and a Memorandum from the Township Supervisor of Planning dated October 4, 2019, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$3,864.21 to JSM at Fairways, LLC, 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 M & M Realty Partners, LLC, Piscataway, NJ, in the amount of \$7,802.34, regarding Zoning Board Application #15-ZB-59/60V; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to JSM at Fairways, LLC, Piscataway, NJ, in the amount of \$3,864.21, regarding Zoning Board Application #09-ZB-66/67V.

RESOLUTION #19-439

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Stilo Paving & Excavating, South Plainfield, NJ for the New Market Dam Retaining Wall and Parking Lot Improvements – Phase III Project (the "Project"), in an amount not to exceed \$192,030.00; 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 Stilo Paving & Excavating 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 \$19,948.00 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$211,978.00, a 10.39% 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 October 8, 2019, from the Township Landscape Architect, said Landscape Architect recommends approving the Change Order Request No. 1; and

WHEREAS, funds are available pursuant to certification # B-2018-031-01;

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 New Market Dam Retaining Wall and Parking Lot Improvements – Phase III Project with Stilo Paving & Excavating, South Plainfield, NJ from \$192,030.00 to a final total not to exceed \$211,978.00 and execute the enclosed Contract Change Order in the amount of \$19,948.00, subject to all bid specifications and contract documents.

RESOLUTION #19-440

WHEREAS, on September 19, 2019 and October 10, 2019, the Township of Piscataway (the "Township") received no bids in regard to the Snowplowing Services Project; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to N.J.S.A. 40A:11-5(3), the bid was advertised on two (2) occasions and no qualifying bids were received on either occasion, the appropriate municipal officials be and are hereby authorized to negotiate a contract for the Snowplowing Services Project.

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

Tim Dacey and Mayor Wahler explained the best practices checklist and how Piscataway Township fared.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

none

OPEN TO PUBLIC:

Staci Berger, 233 Ellis Parkway, asking about the best business practice and what office it goes to. She asked about bike committee meetings and environmental advisory commission and when they are meeting. Tim Dacey states If there are concerns to contact administration and they will forward to the commission. Ms. Berger asked about the work on River Rd. Mrs. McCullum states it is a main sewer slip line that is going in. She asked again why the environmental advisory commission and bike committees haven't met. Discussion ensued with council.

Sid Madison, 176 Blackford Ave, spoke on resolution for stopping fossil fuels in NJ.

Gustav, 58 Curtis Ave, asking for Mayor to look at his community and for help getting in touch with property maintenance.

There being no further business to come before the council, the meeting was adjourned at 7:56 pm on motion of Mrs. Lombardi, seconded by Mr. Shah, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

Frank Uhrin
Council President