

July 21, 2020

A Regular Meeting of the Piscataway Township Council was held on July 21, 2020 via the telephone meeting format, Zoom. The meeting was called to order by Council President, Gabrielle Cahill, at 7:30 pm.

Mrs. Cahill 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. Cahn, Lombardi, McCullum, Uhrin, and Cahill. Mrs. Cahill led the salute to the flag.

No comments from Administration and Council on the Adjournment of any Agenda items.

Mrs. Cahill opened the meeting to the Public for comments regarding the Consent Agenda Items. There being comments, this portion of the meeting was closed to the public.

The Clerk read for SECOND READING the following ORDINANCE: **ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY, APPROVING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 6703, LOT 8, PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ, THE LOCAL REDEVELOPMENT AND HOUSING LAW**

**WHEREAS**, 88 Centennial Realty LLC is the owner of a 5.00 +/- acre improved parcel of land designated as Block 6703, Lot 8 on the Piscataway Township Tax Map (the "Property"); and

**WHEREAS**, the Piscataway Township Council, by Resolution #18-288, determined that the Property constituted an area in need of redevelopment by meeting certain of the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the Township wishes to assist in the redevelopment of the Property for the permitted principal uses of a hotel and a convenience retail store with limited fuel sales (the "Project"); and

**WHEREAS**, at the request of the Township's Planning Board, CME Associates has prepared a redevelopment plan entitled "Amended Redevelopment Plan 88 Centennial Avenue Block 6703, Lot 8, Piscataway, NJ", dated February 12, 2020 (the "Redevelopment Plan"); and

**WHEREAS**, the Piscataway Township Planning Board conducted a public hearing at which it reviewed the Redevelopment Plan on March 11, 2020, at which time it received testimony and considered the Redevelopment Plan; and

**WHEREAS**, the Piscataway Township Planning Board adopted a Resolution which included certain specific findings of fact and recommended the adoption of the Redevelopment Plan by the Township Council, which resolution was memorialized on April 8, 2020; and

**WHEREAS**, the Township Council wishes to ensure that the proposed hotel is completely constructed and issued a Certificate of Occupancy prior to the issuance of a Certificate of Occupancy for the convenience retail store with limited fuel sales; and

**WHEREAS**, the Township Council wishes to consider the adoption of the Redevelopment Plan;

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that the proposed Redevelopment Plan for the development of the Property for a hotel and convenience retail store with limited fuel sales, is hereby approved and adopted, with the proviso that the hotel must be completely constructed and issued a Certificate of Occupancy prior to the issuance of a Certificate of Occupancy to the convenience retail store with limited fuel sales.

**AND BE IT FURTHER ORDAINED**, by the Township Council of the Township of Piscataway, that the Redevelopment Plan shall continue to be considered a condemnation redevelopment plan.

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.

Mrs. Cahill opened the Meeting to the Public for Comments: ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY, APPROVING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 6703, LOT 8, PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ, THE LOCAL REDEVELOPMENT AND HOUSING LAW. There being no comments, the public portion was closed.

RESOLUTION offered by Mr. Cahn, seconded by Mrs. Lombardi: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that: ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY, APPROVING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 6703, LOT 8, PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ, THE LOCAL REDEVELOPMENT AND HOUSING LAW was introduced on the 4<sup>th</sup> day of June, 2020 and had passed the first reading and was published on the 9<sup>th</sup> day of June, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on July 21, 2020, 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. 2020-17. On roll call vote: Messrs. Cahn, Lombardi, McCullum, Uhrin, and Cahill answered yes.

The Clerk read for SECOND READING the following ORDINANCE: **ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT SIDEWALKS ON BLOCK 11319, LOT 9.01 OF THE TOWNSHIP OF PISCATAWAY TAX MAP, COMMONLY KNOWN AS 550 HOES LANE, PISCATAWAY, AS PERMITTED UNDER N.J.S.A. 40:65-1, ET SEQ.**

**WHEREAS**, the Township of Piscataway (the "Township") is authorized to provide for the construction of the sidewalks on the streets and highways of the municipality as permitted by N.J.S.A. 40:65-1 et seq.; and

**WHEREAS**, the Township is permitted to proceed with the installation of said improvements to be wholly paid by the owners of the real estate abutting or directly in front of which the improvement is being made; and

**WHEREAS**, the Township seeks to proceed with proposed improvements upon Block 11319, Lot 9.01, of the Township Piscataway, commonly known as 550 Hoes Lane (the "Property"), in order to install new sidewalks, Belgium block curb and ADA ramps at the intersection of Park Avenue and Hoes Lane; and

**WHEREAS**, the Township shall perform the construction necessary to complete the installation of sidewalks on the Property using a procedure set forth in the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., as permitted under N.J.S.A. 40:65-11; and

**BE IT THEREFORE ORDAINED** by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that new sidewalks, a Belgium block curb and ADA ramps shall be constructed at the intersection of Park Avenue and Hoes Lane upon the property commonly known as 550 Hoes Lane, identified in the Tax Map of the Township of Piscataway as Block 11319, Lot 9.01; and

**BE IT FURTHER ORDAINED** that upon adoption of this Ordinance, the Township Engineering Department shall be kept apprised of an accurate account of the costs undertaken thereof while making the local improvements upon the property; and

**BE IT FURTHER ORDAINED** that upon completion of the installation of the sidewalks upon the Property, the Township Engineering Department shall file a report under the seal of the Township Clerk to be examined and confirmed by the governing body, who shall then file this report with the Township Tax Assessor for proper recording of the special assessment against the Property as required by N.J.S.A. 40:65-8; and

**BE IT FURTHER ORDAINED** that prior to confirmation of the report by the governing body, notice shall be given to the owner of the property of the time and place for examination of the report as required by N.J.S.A. 40:56-30.

passage and publication as required by law.

Mrs. Cahill opened the Meeting to the Public for Comments: ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY, APPROVING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 6703, LOT 8, PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ, THE LOCAL REDEVELOPMENT AND HOUSING LAW. There being no comments, the public portion was closed.

RESOLUTION offered by Mrs. McCullum, seconded by Mrs. Lombardi: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that: ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT SIDEWALKS ON BLOCK 11319, LOT 9.01 OF THE TOWNSHIP OF PISCATAWAY TAX MAP, COMMONLY KNOWN AS 550 HOES LANE, PISCATAWAY, AS PERMITTED UNDER N.J.S.A. 40:65-1, ET SEQ. was introduced on the 4<sup>th</sup> day of June, 2020 and had passed the first reading and was published on the 9<sup>th</sup> day of June, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on July 21, 2020, 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. 2020-18. On roll call vote: Messrs. Cahn, Lombardi, McCullum, Uhrin, and Cahill answered yes.

Councilman Shah arrived.

The Clerk read for SECOND READING the following ORDINANCE: **ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT, BY AND BETWEEN THE TOWNSHIP AND 330 S. RANDOLPHVILLE URBAN RENEWAL, L.L.C., PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended from time to time (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in a municipality constitute areas in need of redevelopment, and to adopt a redevelopment plan for such areas, pursuant to which redevelopment projects are to be undertaken; and

**WHEREAS**, the Redevelopment Law confers certain contract, planning and financial powers upon a redevelopment entity, as defined in *N.J.S.A. 40A:12A-3*, in order to implement redevelopment plans adopted pursuant thereto; and

**WHEREAS**, the Township of Piscataway (the “**Township**”), in the County of Middlesex, State of New Jersey, has elected to exercise these redevelopment entity powers directly, as permitted under *N.J.S.A. 40A:12A-4*; and

**WHEREAS**, 330 S. Randolphville Urban Renewal, L.L.C. (the “**Entity**”), is the redeveloper of the property known as Block 4701, Lot 5.05 (the “**Redevelopment Area**”), which was previously designated by the Township as an “area in need of redevelopment,” as that term is defined under the Redevelopment Law; and

**WHEREAS**, the Township and the Entity will enter into a Redevelopment Agreement, pursuant to which, among other things, the Entity will redevelop the Redevelopment Area by constructing thereon a project consisting of: improvements to the existing building on the Redevelopment Area and construction of a new approximately one hundred fifty-one thousand seven hundred eighty (151,780) square foot warehouse distribution center, including ancillary offices and related purposes (the “**Project**”); and

**WHEREAS**, in order to enhance the economic viability of and opportunity for a successful project, the Entity submitted to the Mayor of the Township (the “**Mayor**”) an application (the “**Application**”), which is on file with the Township Clerk, seeking tax exemption in connection with the Project pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “**Long Term Tax Exemption Law**”), in exchange for which the Entity proposes to make payments to the Township in lieu of taxes; and

**WHEREAS**, the Entity also submitted to the Mayor a form of financial agreement (the “**Financial Agreement**”), a copy of which is on file with the Township Clerk, establishing the rights, responsibilities and obligations of the Entity; and

**WHEREAS**, the Mayor submitted the Application and Financial Agreement to the Township Council with his recommendation for approval, a copy of which recommendation is on file with the Township Clerk; and

**WHEREAS**, the Township Council has determined that the Project represents an undertaking permitted by the Long Term Tax Exemption Law.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, NEW JERSEY AS FOLLOWS:**

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The Application and Financial Agreement are hereby approved.

**Section 3.** The Mayor is hereby authorized to execute the Financial Agreement substantially in the form as that on file with the Township Clerk, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.

**Section 4.** The Clerk of the Township is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.

**Section 5.** If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

**Section 6.** This ordinance shall take effect in accordance with applicable law. Mrs. Cahill opened the Meeting to the Public for Comments: ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT, BY AND BETWEEN THE TOWNSHIP AND 330 S. RANDOLPHVILLE URBAN RENEWAL, L.L.C., PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ. . There being no comments, the public portion was closed.

RESOLUTION offered by Mr. Cahn, seconded by Mrs. Lombardi: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that: ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT, BY AND BETWEEN THE TOWNSHIP AND 330 S. RANDOLPHVILLE URBAN RENEWAL, L.L.C., PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ. was introduced on the 4<sup>th</sup> day of June, 2020 and had passed the first reading and was published on the 9<sup>th</sup> day of June, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on July 21, 2020, 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. 2020-19. On roll call vote: Messrs. Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

The Clerk read for FIRST READING the following ORDINANCE: AN ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN LANDS OWNED BY THE TOWNSHIP OF PISCATAWAY PURSUANT TO N.J.S.A. 40A:12-13.

RESOLUTION offered by Mr. Cahn, seconded by Mrs. Lombardi, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: AN ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN LANDS OWNED BY THE TOWNSHIP OF PISCATAWAY PURSUANT TO N.J.S.A. 40A:12-13 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 as well as by telephonic conference on the 11<sup>th</sup> day of August, 2020.

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. Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE REGARDING RESIDENT CONNECTION TO PUBLIC WATER SUPPLY ON HAROLD PLACE, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.

RESOLUTION offered by Mrs. McCullum, seconded by Mr. Shah, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: ORDINANCE REGARDING RESIDENT CONNECTION TO PUBLIC WATER SUPPLY ON HAROLD PLACE, IN 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 as well as by telephonic conference on the 11<sup>th</sup> day of August, 2020.

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. Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

The Clerk read for FIRST READING the following ORDINANCE: AN ORDINANCE VACATING ALL OF THE RIGHT, TITLE AND INTEREST OF THE TOWNSHIP OF PISCATAWAY OF THE REMAINING PORTION OF NORTH RANDOLPHVILLE ROAD, EXTENDING A LENGTH OF 382 to 424 LINEAR FEET.

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Shah, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: AN ORDINANCE VACATING ALL OF THE RIGHT, TITLE AND INTEREST OF THE TOWNSHIP OF PISCATAWAY OF THE REMAINING PORTION OF NORTH RANDOLPHVILLE ROAD, EXTENDING A LENGTH OF 382 to 424 LINEAR FEET 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 as well as by telephonic conference on the 11<sup>th</sup> day of August, 2020.

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. Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE SUPPLEMENTING CHAPTER XVII (17), PROPERTY MAINTENANCE OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY RESOLUTION offered by Mr. Cahn, seconded by Mr. Shah, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that: ORDINANCE SUPPLEMENTING CHAPTER XVII (17), PROPERTY MAINTENANCE 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 as well as by telephonic conference on the 11<sup>th</sup> day of August, 2020.

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. Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

RESOLUTION #20-215

RESOLUTION offered by Mr. Cahn, seconded by Mr. Lombardi, 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 July 21, 2020 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Certifying South Avenue Special Sidewalks Assessment.
- b. RESOLUTION – Authorizing Cancellation of Sewer Billing – Frozen Fixtures- Water Ran Constantly – Block 6003, Lot 12.01 – 377 Hoes Lane.
- c. RESOLUTION – Authorizing Award of Bid – Road Program-Curbs, Sidewalks, ADA Ramps – Discover Construction, LLC – Not to Exceed \$1,170,888.16.
- d. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Duplicate Payments.
- e. RESOLUTION – Authorizing Award of Contract for Professional Services Contract – Public Works Municipal Parking Lot Improvements – Contract 2 – CME Associates – Not to Exceed \$119,777.50.
- f. RESOLUTION – Authorizing Execution of Developer’s Agreement for the Vacation of the Remainder of the Unimproved Portion of North Randolphville Road.
- g. RESOLUTION – Authorizing Return of Street Opening Bond:
  - Gary & Stacey Becker – Block 515, Lot 1.01 – 54 Mansfield Road.
  - Concrete Construction Corporation – Block 6702, Lot 3.03 – 201 Centennial Avenue.
- h. RESOLUTION – Authorizing Area in Need of Redevelopment Study – Block 4102, Lot 2.
- i. RESOLUTION – Authorizing Area in Need of Redevelopment Study – Block 5101, Lots 5.02, 6.02 and 7.02.
- j. RESOLUTION – Authorizing Tax Appeal Settlement:
  - Brown & Shea c/o HH Brown-Trustee – block 4503, Lot 1.05 – 300 North Randolphville Road.
- k. RESOLUTION – Authorizing Change Order #1 – 2019-2021 Road Program for Curbs, Sidewalk, Driveway & ADA Ramps Improvements – New Price Concrete Construction Co. Inc. – Not to Exceed \$12,500.00.
- l. RESOLUTION – Authorizing Return of Soil Erosion/Landscape Bond:
  - Menachem Mendel Steinmetz/Red Oak Construction LLC – Block 8001, Lot 17 – 1214 Brookside Road.
- m. RESOLUTION – Authorizing Award of Contract Under State Contract 17-FLEET-00754 – Bulletproof Vest Replacement – Lawmen Supply Company – Not to Exceed \$17,785.32.
- n. RESOLUTION – Authorizing Award of Contract Through Co-op ESCNJ #19/20-10 – 2020 Street Tree Replacements – JCW Inc., d/b/a Natural Green Lawn Care - No– to Exceed \$78,250.00.
- o. RESOLUTION – Authorizing Change Order #3 – Public Safety Interior Renovations – Northeastern Interior Services, LLC – Not to Exceed \$10,835.00.
- p. RESOLUTION – Authorizing Submission of Grant Application and Execution of Agreement with NJDOT for Netherwood Avenue Improvements Project.
- q. RESOLUTION – Authorizing Return of Escrow fees
  - Timothy Christian School – Block 730 (8901) Lot(s) 2.01 & 2.02.
  - Yinglin Zhu – Block 1102, Lot 37.01 – 150 Levgar Street.
- r. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment:
  - 100 New England Associate LLS, Block 4601 Lot 2.01
- s. RESOLUTION – Authorizing Return of Sterling Village Security Deposit:

- Charles Dominick – Apt. 421.
- Marilyn Gorski – Apt. 207.
- t. RESOLUTION – Authorizing Return of Engineering and Inspection Fees:
  - Evonik Corporation Block 4901 Lot 1.03.
  - One Possumtown LLC – Block 3301, Lot 3.06 – 1 Possumtown Road.
- u. RESOLUTION – Authorizing Chapter 159 – Alcohol Education Rehabilitation Fund - \$4,251.05.
- v. RESOLUTION – Authorizing Chapter 159 – FY2020 Clean Communities Grant - \$93,446.21.
- w. RESOLUTION – Authorizing Award of Bid through Sourcewell CO-OP #032119 – Foley Caterpillar - Backhoe Loader - Not to Exceed \$146,336.00.
- x. RESOLUTION – Authorizing Award of Bid through Sourcewell CO-OP #032119 – Tri-Lift NJ Caterpillar Pneumatic Tire Lift Truck - Not to Exceed \$37,975.00.
- y. RESOLUTION – Authorizing Issuance of Non-Recourse Redevelopment Area Bonds – Aggregate Amount Not to Exceed \$2,300,000 (Block 4501, Lot 1.02 and Block 4502, Lot 1 Infrastructure Project), Approving Form of Trust Indenture and Determining Certain Other Matters.
- z. RESOLUTION – Authorizing Acceptance of Project and Release of Retainage – Lynnwood & Crestwood Streets Improvements Project – Top Line Construction Corp.
- aa. RESOLUTION – Authorizing Municipal Alliance Change in Funding 5<sup>th</sup> Quarter FY2020.
- bb. RESOLUTION – Authorizing Municipal Alliance Change in Funding FY2021.
- cc. RESOLUTION – Authorizing Extension of Grace Period for Third Quarter Taxes.
- dd. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – Kingsbridge 2005 LLC – Block 6702, Lot 5.02 – 20 Kingsbridge Road.
- ee. RESOLUTION – Authorizing Acceptance of Project and Release of Retainage – Re-Bid Johnson Avenue Drainage Improvements – LandTek Construction d/b/a United Terrain Group.
- ff. RESOLUTION – Authorizing Person to Person Transfer of Liquor License 1217-44-016-005 from Abrol, Inc. t/a Wine Chateau to 1217-44-016-006 Three Cheers LLC t/a Wine Chateau.
- gg. RESOLUTION – Authorizing Refund of Sewer Fee Overpayment – Valencia LLC.
- hh. MOTION – Accept the Report of the Clerk’s Account – May & June 2020.
- ii. MOTION – Accept Report of the Division of Revenue – May & June 2020.
- jj. MOTION – Receive and Enter into Minutes Disbursements for the Month of May & June 2020.

**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 July 21, 2020 Regular meeting and adopted by separate vote.

On roll call vote: Messrs. Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes. No vote Mr. Bullard.

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

**RESOLUTION #20-216**

**WHEREAS**, the Township of Piscataway (the “Township”) is authorized to provide for the construction of the sidewalks on the streets and highways of the municipality as permitted by N.J.S.A. 40:65-1 et seq.; and

**WHEREAS**, pursuant to Ordinance No. 2020-04, the following properties on South Avenue were improved with sidewalks and curbing, with said improvements to be assessed to the property owners pursuant to N.J.S.A. 40:65-1 et. seq.:

Address	Block	Lot	Owner
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171 Levgar Street	1103	32.01	David DiMartino
711 South Avenue	1102	43.01 (F/43 thru 48)	Charles Facciponti
28 Howard Street	1101	51.01	Cornerstone Industrial Park, LLC
727 South Avenue	1101	2.02	727 South Avenue LLC
725 South Avenue	1101	5	725 South Avenue

(the “Properties”); and

**WHEREAS**, the Township Supervisor of Engineering has filed a report dated March 9, 2020, for the costs of said improvements, a copy of which is attached hereto, with the Township Clerk which has been submitted to the Township Council for examination and confirmation; and

**WHEREAS**, upon confirmation by the Township Council, the report shall be filed with the Township Tax Assessor for proper recording of the special assessment against the Properties as required by N.J.S.A. 40:65-8; and

**WHEREAS**, proper notice has been given to the owner of the Properties of the time and place for examination of the report as required by N.J.S.A. 40:56-30; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway, that the March 9, 2020 report of costs for the construction of sidewalks and curbing on the above referenced Properties has been examined and is hereby confirmed; and

**BE IT FURTHER RESOLVED** that the Township Tax Assessor is authorized to record the costs listed in the March 9, 2020 report as a special assessment against each of the Properties respectively.

RESOLUTION #20-217

**WHEREAS**, the following properties had excessive sewer billing for the year in the amount as listed below

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
6003	12.01		VIRDI REAL ESTATE	2020	27981.52	FROZEN FIXTURES-WATER RAN CONSTANTLY

**377 HOES LN**

**THEREFORE, BE IT RESOLVED** that the Collector is hereby authorized to cancel the sewer for the record owner and the Collector is hereby authorized to adjust the records accordingly.

RESOLUTION #20-218

**WHEREAS**, on July 9, 2020, the Township of Piscataway (the “Township”) received twelve (12) bids in regard to the Road Program for Curbs, Sidewalk, Driveway & ADA Ramps (the “Project”); and

**WHEREAS**, the Township Supervisor of Engineering reviewed the bids and recommended awarding a contract for the Project to Discover Construction, LLC, Dayton, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$1,170,888.16; and

**WHEREAS**, funds are available pursuant to certification # B-2020-022;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to award a contract for the Road Program for Curbs, Sidewalk, Driveway & ADA Ramps Project to Discover Construction, LLC, Dayton, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$1,170,888.16, subject to all bid specifications and contract documents.

RESOLUTION #20-219

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

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
3101	16.01	C0165	Shinde	2020	1641.81	Pd by bank &



					title co
		165 Vasser Dr			
6816	13.01	Donkor	2020	3043.06	Pd by bank & title co
		133 Shirley Pkwy			

**THEREFORE, BE IT RESOLVED** that the Treasurer is hereby authorized to refund the overpayment of taxes to the record owner and the Collector is hereby authorized to adjust the records accordingly.

**RESOLUTION #20-220**

**WHEREAS**, the Township of Piscataway requires Professional Construction Management Services for the DPW Municipal Complex Parking Lot Improvements – Contract 2 (the "Project"); and

**WHEREAS**, CME Associate, Parlin, NJ, has submitted a proposal dated June 4, 2020, for Professional Engineering Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$119,777.50; and

**WHEREAS**, CME Associates, Parlin, NJ was previously qualified under the Fair and Open Process to provide professional services for Professional Construction Management Services – Construction Management Services by the Township of Piscataway for 2020; and

**WHEREAS**, pursuant to a Recommendation to Award Contract dated June 5, 2020, the Township Business Administrator recommends awarding the contract for the Project to CME Associates; and

**WHEREAS**, there is funding available pursuant to certification # R-2020-00083;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway that the Township Council does hereby authorize CME Associates, Parlin, NJ, to provide Professional Construction Management Services for the DPW Municipal Complex Parking Lot Improvements – Contract 2, at the rates set forth in said Proposal, with such services not to exceed \$119,777.50 in cost.

**RESOLUTION #20-221**

**WHEREAS**, Duke Realty New Brunswick Urban Renewal, LLC ("Duke") is the owner of certain real property commonly known as Block 4501, Lot 1.02 (150-160 Old New Brunswick Road, Piscataway, NJ), which now includes the .92 acres previously owned by the Township that was sold to Duke on April 22, 2020 and, after the Township vacates the Paper Street, will include an unimproved portion of North Randolphville Road (the "Duke Property"); and

**WHEREAS**, Duke was designated by the Township as the redeveloper of the Duke Property under a separate Redevelopment Agreement by and between Duke and the Township that was approved on February 18, 2020; and

**WHEREAS**, Lukoil North America, LLC ("Lukoil") is the owner of certain real property commonly known as Block 4502, Lot 1 (152 Old New Brunswick Road, Piscataway, NJ), which, after the Township vacates the Paper Street, will include an unimproved portion of North Randolphville Road, (the "Lukoil Property"); and

**WHEREAS**, the Duke Property and the Lukoil Property adjoin each other and, along a common boundary line, are each partially encumbered by a Township Paper Street known as an extension of North Randolphville Road (the "Paper Street") as depicted in Exhibit A of the Agreement attached hereto and made a part hereof, which Paper Street encumbers an approximately 40 foot portion of the Duke Property and an approximately 25 foot portion of the Lukoil Property (the "Lukoil 25 Feet"); and

**WHEREAS**, Duke and Lukoil are developing their respective properties and are desirous of doing so in a harmonious manner, and in furtherance and support thereof, the Township seeks to vacate the Paper Street which will relinquish its rights thereunder to the Duke Property and Lukoil Property, respectively; and

**WHEREAS**, Lukoil intends to dedicate the right of way along the portion of Old New Brunswick Road abutting the Lukoil Property to allow for traffic signal improvements to be constructed by Duke; and

**WHEREAS**, in furtherance of their intended adjoining property development, the parties desire to have the Lukoil 25 feet become a part of the Duke Property to be utilized as part of the development of the Duke Property providing, however, for ingress and egress from the Lukoil Property over the Duke Property by an access road to the intersection of Old Brunswick Road and North Randolphville Road (the “Access Road”), which will be constructed by Duke on the Duke Property and Lukoil 25 feet in the area of the Paper Street; and

**WHEREAS**, the parties desire to avoid condemnation proceedings regarding the potential acquisition of, or to otherwise pay a purchase price to Lukoil to acquire said Lukoil 25 feet; and

**WHEREAS**, the Township Attorney has reviewed the Developer’s Agreement, a copy of which is attached hereto as Exhibit A and made a part hereof, and recommend execution of same; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway, that the appropriate municipal officials and the Mayor be and are hereby authorized to execute the attached Developer’s Agreement with Duke Realty New Brunswick Urban Renewal, LLC and Lukoil North America, LLC in regard to the development of the Duke Property and the Lukoil Property, as further described above, in substantially the same form attached hereto, with any modifications to be authorized by the Mayor on the advice of the Township Attorney.

RESOLUTION #20-222

**WHEREAS**, Gary & Stacy Becker, Piscataway, NJ, request the return of a Street Opening Bond in the amount of \$500.00, posted with the Township of Piscataway on May 14, 2019 regarding repairs and inspections for Block 515, Lot 1.01 (54 Mansfield Road); and

**WHEREAS**, pursuant to a Request for Release of Funds dated May 8, 2020 and a memorandum from the Supervisor of Engineering dated June 2, 2020, 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

**WHEREAS**, Concrete Construction Corporation, Hackensack, NJ, request the return of a Street Opening Bond in the amount of \$500.00, posted with the Township of Piscataway on May 31, 2019 regarding repairs and inspections for Block 6702, Lot 3.03 (201 Centennial Avenue); and

**WHEREAS**, pursuant to a Request for Release of Funds dated July 11, 2020 and a memorandum from the Supervisor of Engineering dated July 13, 2020, 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 Gary & Stacy Becker, Piscataway, NJ, in the amount of \$500.00, regarding the above referenced property; 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 return said Street Opening Bond to Concrete Construction Corporation, Hackensack, NJ, in the amount of \$500.00, regarding the above referenced property.

RESOLUTION #20-223

**WHEREAS**, the Township of Piscataway contains property located on Block 4102, Lot 2 (141 Circle Drive North) on the Piscataway Township Tax Map (the “Property”); and

**WHEREAS**, the Township Planning Board (the “Board”) believes it necessary to obtain the assistance of a professional planner to help said Planning Board investigate whether the subject area is a Non-Condemnation Area in Need of Redevelopment; and

**WHEREAS**, 4Site Planning, LLC submitted a proposal to the Township of Piscataway regarding the above investigation that was subsequently reviewed by the Board; and

**WHEREAS**, the Board decided to retain 4Site Planning, LLC to perform an investigation to determine whether the Property meets the criteria to be declared a Non-Condemnation Area in Need of Redevelopment set forth in N.J.S.A. 40A:12A-5; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway that the Township Council does hereby authorize 4Site Planning, LLC, to perform the aforementioned investigation of the above referenced Property in order to determine whether the Property meets the criteria to be declared a Non-Condensation Area in Need of Redevelopment set forth in N.J.S.A. 40A:12A-5.

RESOLUTION #20-224

**WHEREAS**, the Township of Piscataway contains property located on Block 5101, Lot 5.02, 6.02 and 7.02 (South Washington Avenue and Access Road Circle) on the Piscataway Township Tax Map (the “Property”); and

**WHEREAS**, the Township Planning Board (the “Board”) believes it necessary to obtain the assistance of a professional planner to help said Planning Board investigate whether the subject area is a Non-Condensation Area in Need of Redevelopment; and

**WHEREAS**, 4Site Planning, LLC submitted a proposal to the Township of Piscataway regarding the above investigation that was subsequently reviewed by the Board; and

**WHEREAS**, the Board decided to retain 4Site Planning, LLC to perform an investigation to determine whether the Property meets the criteria to be declared a Non-Condensation Area in Need of Redevelopment set forth in N.J.S.A. 40A:12A-5; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway that the Township Council does hereby authorize 4Site Planning, LLC, to perform the aforementioned investigation of the above referenced Property in order to determine whether the Property meets the criteria to be declared a Non-Condensation Area in Need of Redevelopment set forth in N.J.S.A. 40A:12A-5.

RESOLUTION #20-225

**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:

**Brown & Shea c/o HH Brown-Trustee**

**Block 4503, Lot 1.05**  
**300 S Randolphville Rd**

	<u>2017</u> <u>Assessment</u>	<u>2017 Proposed</u> <u>Assessment</u>	<u>2018</u> <u>Assessment</u>	<u>2018 Proposed</u> <u>Assessment</u>
Land	2,415,000		1,652,000	
Improvements	<u>637,000</u>	<u>WITHDRAW</u>	<u>295,500</u>	<u>WITHDRAW</u>
Total	3,052,000		1,947,500	

	<u>2019</u> <u>Assessment</u>	<u>2019 Proposed</u> <u>Assessment</u>	<u>2020</u> <u>Assessment</u>	<u>2020 Proposed</u> <u>Assessment</u>
Land	1,777,000		1,911,600	1,911,600
Improvements	<u>220,000</u>	<u>WITHDRAW</u>	<u>148,400</u>	<u>78,400</u>
Total	1,990,000		2,060,000	1,990,000

**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 #20-226

**WHEREAS**, the Township of Piscataway (the "Township") awarded a contract to New Price Concrete Construction Co., Inc., Hackensack, NJ for the 2019-2021 Road Program for Curbs, Sidewalk, Driveway & ADA Ramps Improvements (the "Project"), in the amount not to exceed \$2,270,605.00; and

**WHEREAS**, additional site 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 New Price Concrete Construction Co., Inc. 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 \$12,500.00 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$2,283,105.00, a 0.55% 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 request from the Township Engineer dated June 18, 2020, said Township Engineer recommends approving Change Order No. 1; and

**WHEREAS**, funds are available pursuant to certification # R-2020-0007;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount with New Price Concrete Construction Co., Inc. for the 2019-2021 Road Program for Curbs, Sidewalk, Driveway & ADA Ramps Improvements from \$2,270,605.00 to a final total not to exceed \$2,283,105.00 and execute a Change Order in the amount of \$12,500.00, subject to all bid specifications and contract documents.

RESOLUTION #20-227

**WHEREAS**, Menachem Mendel Steinmetz / Red Oak Construction LLC, Brooklyn, NY, requests the return of a Soil Erosion/Landscaping Bond in the amount of \$1,000.00, posted on May 18, 2020 with the Township of Piscataway for improvements for Block 8001, Lot 17 (1214 Brookside Road); and

**WHEREAS**, pursuant to a Request for Release of Funds dated June 17, 2020 and a Memorandum from the Township Supervisor of Engineering dated June 17, 2020, copies of which are attached hereto and made a part hereof, the Supervisor of Engineering advised that the necessary improvements required and covered have been satisfactorily installed, and therefore recommended the return of said Soil Erosion/Landscaping Bond to Menachem Mendel Steinmetz / Red Oak Construction 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 said Soil Erosion/Landscaping Bond in the amount of \$1,000.00 to Menachem Mendel Steinmetz / Red Oak Construction LLC, Brooklyn, NY regarding Block 8001, Lot 17 (1214 Brookside Road).

RESOLUTION #20-228

**WHEREAS**, the Township of Piscataway Police Department is in need of Bulletproof Vest Replacement (5 year cycle) (the "Vests"); and

**WHEREAS**, the Township of Piscataway Chief of Police recommends awarding a contract for the Vests through NJ State Contract #17-FLEET-00754, Line #71 to Lawmen Supply Company, Pennsauken, NJ in the amount not to exceed \$17,785.32; and

**WHEREAS**, there is funding available pursuant to certification # B-2020-020;

**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 Lawmen Supply Company, Pennsauken, NJ for the Bulletproof Vest Replacement (5 year cycle), in the amount not to exceed \$17,785.32, through NJ State Contract #17-FLEET-00754, Line #71.

RESOLUTION #20-229

**WHEREAS**, the Township of Piscataway (the "Township") is in need of 2020 Street Tree Replacements (the "Project"); and

**WHEREAS**, the Township Landscape Architect recommends awarding a contract for the

Project through Educational Services Commission of NJ Co-Op Bid #ESCNJ 19/20-10, to JCW Inc. dba Natural Green Lawn Care, Bridgewater, NJ, in the amount not to exceed \$78,250.00; 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 # B-2020-021;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to enter into a contract for the 2020 Street Tree Replacements with JCW Inc. dba Natural Green Lawn Care, Bridgewater, NJ, for a total cost not to exceed \$78,250.00, through Educational Services Commission of NJ Co-Op Bid #ESCNJ 19/20-10.

RESOLUTION #20-230

**WHEREAS**, Northeastern Interior Services, LLC, Fairfield, NJ was awarded a contract for the Public Safety Building Interior Renovations (the "Project"), in an amount not to exceed \$725,000.00; and

**WHEREAS**, the Township previously approved change orders in the amount of \$76,497.92, a 10.55% increase; and

**WHEREAS**, additional work is necessary for the Project that was not included in the original scope of work outlined by the Township and not anticipated in the proposal from Northeastern Interior Services, LLC to the Township for the Project; and

**WHEREAS**, this change order would represent a \$10,835.00 increase in the total amount of the Project from the previous total for a final cost not to exceed \$812,332.92, a 1.5% increase from the previous contract amount; and

**WHEREAS**, the total change orders amount to a 12.05% increase in the total contract amount; and

**WHEREAS**, N.J.A.C. 5:30-11.3 authorizes a municipality to approve change orders up to twenty (20) percent of the originally awarded contract; and

**WHEREAS**, pursuant to a Change Order Form, dated June 26, 2020, from the Township Director of Public Works, the Township Director of Public Works recommends that the Township approve Change Order Request No. 3; and

**WHEREAS**, funds are available pursuant to certification # B-2019-018-03;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the Project with Northeastern Interior Services, LLC, Fairfield, NJ from \$801,497.92 to a final total not to exceed \$812,332.92 and execute the enclosed Contract Change Order in the amount of \$10,835.00, subject to all bid specifications and contract documents.

RESOLUTION #20-231

**WHEREAS**, the Township of Piscataway wishes to obtain a grant from the New Jersey Department of Transportation (the "NJDOT") for the Netherwood Avenue 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 (MA-2021-Netherwood Avenue Improvements - 00432) 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 #20-232

**WHEREAS**, on October 8, 2019, November 22, 2019 and January 30, 2020, Yinglin Zhu, Edison, NJ posted escrow checks with the Township of Piscataway in the amounts

of \$2,500.00, \$1,000.00 and \$1,500.00, respectively, regarding Zoning Board Application #19-ZB-62V for Block 1102, Lot 37.01 (150 Levgar Street); and

**WHEREAS**, pursuant to a Request for Release of Funds dated July 13, 2020 and a Memorandum from the Township Supervisor of Planning dated July 13, 2020, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$302.49 to Yinglin Zhu, Edison, NJ; and

**WHEREAS**, on December 8, 2003, Timothy Christian School, Piscataway, NJ posted an escrow check with the Township of Piscataway in the amount of \$2,000.00, regarding Block 730, Lots 2.01 and 2.02 (2008 Ethel Way); and

**WHEREAS**, pursuant to a Request for Release of Funds dated April 29, 2020 and a Memorandum from the Township Supervisor of Planning dated June 24, 2020, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$2,000.00 to Timothy Christian School, 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 Yinglin Zhu, Edison, NJ, in the amount of \$302.49, regarding Zoning Board Application #19-ZB-62V for Block 1102, Lot 37.01 (150 Levgar Street); 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 unexpended escrow fees to Timothy Christian School, Piscataway, NJ, in the amount of \$2,000.00, regarding Block 730, Lots 2.01 and 2.02 (2008 Ethel Way).

RESOLUTION #20-233

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

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON TAX COURT
6702	5.02		Kingsbridge 2005 LLC 20 Kingsbridge Rd	2020	13534.78	JUDGMENT

**THEREFORE, BE IT RESOLVED** that the Treasurer is hereby authorized to refund the overpayment of taxes to the record owner and the Collector is hereby authorized to adjust the records accordingly.

RESOLUTION #20-234

**WHEREAS**, Marilyn Gorski requests the return of a Security Deposit in the amount of \$554.40 posted with the Township of Piscataway for Apartment 207 at Sterling Village; and

**WHEREAS**, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$554.40 to Marilyn Gorski; and

**WHEREAS**, the Estate of Charles John Dominick requests the return of a Security Deposit in the amount of \$835.01 posted with the Township of Piscataway for Apartment 421 at Sterling Village; and

**WHEREAS**, there is an outstanding rent balance in the amount of \$33.16 due to the Township of Piscataway; and

**WHEREAS**, the Township Finance Department recommends the release of \$33.16 to the Township of Piscataway, and release of the remaining Security Deposit, in the amount of \$801.85 to the Estate of Charles John Dominick; 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 Marilyn Gorski, in the amount of \$554.40, in regard to Apartment 207 at Sterling Village; 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 portion of the Security Deposit in the amount of \$33.16 to the Township of Piscataway, and the remaining Security Deposit in the amount of \$801.85 to the Estate of Charles John Dominick.

RESOLUTION #20-235

**WHEREAS**, Evonik Corporation, Parsippany, NJ has completed their project on Block 4901, Lot 1.03 (2 Turner Place); and

**WHEREAS**, pursuant to a Request for Release of Funds dated May 18, 2020 and a Memorandum from the Township Supervisor of Engineering dated June 23, 2020, 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 \$2,766.97 be returned to Evonik Corporation; and

**WHEREAS**, One Possumtown LLC, Piscataway, NJ has completed their project on Block 3301, Lot 3.06 (1 Possumtown Road); and

**WHEREAS**, pursuant to a Request for Release of Funds dated June 23, 2020 and a Memorandum from the Township Supervisor of Engineering dated July 2, 2020, 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 \$5,364.17 be returned to One Possumtown 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 Evonik Corporation, Parsippany, NJ, in the amount of \$2,766.97, regarding Block 4901, Lot 1.03 (2 Turner Place); 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 One Possumtown LLC, Piscataway, NJ, in the amount of \$5,364.17, regarding Block 3301, Lot 3.06 (1 Possumtown Road).

RESOLUTION #20-236

**WHEREAS**, N.J.S.A 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 **\$4,251.05** from the **State of New Jersey, Judiciary** and wishes to amend its **Calendar Year 2020** 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 2020**:

<i>Amount Received for</i>	
<i>Alcohol Education Rehabilitation Fund</i>	<i>\$4,251.05</i>

**BE IT FURTHER RESOLVED** that the like sum of \$4,251.05 is hereby appropriated under the caption of:

<i>Alcohol Education Rehabilitation Fund</i>	<i>\$4,251.05</i>
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**BE IT FURTHER RESOLVED**, that the Director of Finance forward a certified copy of this resolution electronically to the Director of Local Government Services.

RESOLUTION #20-237

**WHEREAS**, N.J.S.A 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 \$93,446.21 from the State of New Jersey, Environmental Protection, Solid Waste Administration and wishes to amend its Calendar Year 2020 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 2020:

<i>Amount Received for</i>	
<i>FY2020 Clean Communities Grant</i>	<b>\$93,446.21</b>

**BE IT FURTHER RESOLVED** that the like sum of \$93,446.21 is hereby appropriated under the caption of:

<i>FY2020 Clean Communities Grant</i>	<b>\$93,446.21</b>
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**BE IT FURTHER RESOLVED**, that the Director of Finance forward a certified copy of this resolution electronically to the Director of Local Government Services.

RESOLUTION #20-238

**WHEREAS**, the Township of Piscataway desires to purchase a 2020 Caterpillar Model 420F2IT Backhoe Loader (the “Backhoe”); and

**WHEREAS**, the Township of Piscataway Director of Public Works recommends purchasing the Backhoe from Foley Cat of Piscataway, NJ, Piscataway, NJ, in the amount of \$146,336.00 through Sourcewell (formerly National Joint Powers Alliance) Contract # 032119-CAT; 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-2020-0085;

**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 Foley Cat of Piscataway, NJ, Piscataway, NJ to purchase a 2020 Caterpillar Model 420F2IT Backhoe Loader in the amount not to exceed \$146,336.00, through Sourcewell (formerly National Joint Powers Alliance) Contract # 032119-CAT.

RESOLUTION #20-239

**WHEREAS**, the Township of Piscataway desires to purchase a 2020 Caterpillar Model GP35NS – 7,000 LB Capacity LP Pneumatic Tire Lift Truck (the “Forklift”); and

**WHEREAS**, the Township of Piscataway Director of Public Works recommends purchasing the Forklift from Tri-Lift NJ, North Brunswick, NJ, in the amount of \$37,975.00 through Sourcewell (formerly National Joint Powers Alliance) Contract # 032119-CAT; 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-2020-0086;

**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 Tri-Lift NJ, North Brunswick, NJ to purchase a 2020 Caterpillar Model GP35NS – 7,000 LB Capacity LP Pneumatic Tire Lift Truck in the amount not to exceed \$37,975.00, through Sourcewell (formerly National Joint Powers Alliance) Contract # 032119-CAT.

RESOLUTION #20-240

**WHEREAS**, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), and that certain redevelopment plan adopted by ordinance of the Council (the “**Township Council**”) of the Township of Piscataway, a public body



corporate and politic of the State of New Jersey (the “**Township**”) on November 9, 2017 (the “**Redevelopment Plan**”), the Township and Duke Realty New Brunswick Urban Renewal, LLC (the “**Redeveloper**”) entered into that certain Redevelopment Agreement, dated May 7, 2020 (the “**Redevelopment Agreement**”) with respect to the property known as Block 4501, Lot 1.02 (formerly Lots 1.01 and 3) and a portion of Block 4502, Lot 1 on the Township’s tax map (the “**Project Area**”) and designated by resolution of the Township Council as an “area in need of redevelopment” in accordance with the Redevelopment Law; and

**WHEREAS**, pursuant to the Redevelopment Agreement, the Redeveloper will construct, on the Project Area, a project consisting of an industrial warehouse/distribution/manufacturing facility and ancillary office space along with supporting parking and on-site and off-site infrastructure improvements (collectively, the “**Project**”); and

**WHEREAS**, pursuant to Section 2.3 of the Redevelopment Agreement, the Redeveloper will construct, as part of the Project, certain wastewater, stormwater, roadway, streetscape, utility and other infrastructure improvements as described in more detail in the Redevelopment Agreement (the “**Infrastructure Improvements**”), which Infrastructure Improvements constitute a redevelopment project to be undertaken pursuant to the Redevelopment Plan, as contemplated by the Redevelopment Law and the Redevelopment Area Bond Financing Law, *N.J.S.A. 40A:12A-64 et seq.* (the “**RAB Law**”); and

**WHEREAS**, the provisions of the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “**Long Term Tax Exemption Law**”) and the RAB Law authorize the Township to accept, in lieu of real property taxes, an annual service charge paid by the Redeveloper; and

**WHEREAS**, on March 10, 2020, the Township Council adopted Ordinance No. 2020-05, (the “**Financial Agreement Ordinance**”), approving the Redeveloper’s application for tax exemption in connection with the Project pursuant to the Long Term Tax Exemption Law, in exchange for which the Redeveloper agreed to make payments to the Township in lieu of taxes; and

**WHEREAS**, pursuant to the Financial Agreement Ordinance, on May 7, 2020, the Township and the Redeveloper entered into that certain Financial Agreement (the “**Financial Agreement**”), pursuant to which the Redeveloper will make the above-described payments to the Township, known as an “annual service charge” (the “**Annual Service Charge**”); and

**WHEREAS**, pursuant to the RAB Law, a municipality may issue bonds to finance redevelopment projects pursuant to a redevelopment plan, which bonds may be secured by an annual service charge on certain property within an area in need of redevelopment; and

**WHEREAS**, pursuant to the Financial Agreement, the Annual Service Charge will consist of two components: (i) an amount equal to \$0.754 per square foot of gross floor area of buildings constituting the Project (the “**Unpledged Annual Service Charge**”); and (ii) such amount as is necessary to pay the principal, redemption premium, if any, and interest due on the Bonds (as defined below) in the respective year (the “**Pledged Annual Service Charge**”); and

**WHEREAS**, as an inducement to the Redeveloper to construct the Infrastructure Improvements, and in furtherance of the purposes of the Redevelopment Law and the RAB Law and to assist in financing the cost of the Infrastructure Improvements, the Township intends to issue its Non-Recourse Redevelopment Area Bonds (Block 4501, Lot 1.02 and Block 4502, Lot 1 Infrastructure Project), in an aggregate principal amount not to exceed \$2,300,000, in one or more series on a taxable or tax-exempt basis (the “**Bonds**”); and

**WHEREAS**, the Bonds are authorized to be issued pursuant to a Trust Indenture to be executed in connection with the Bonds (as same may be supplemented or amended, the “**Trust Indenture**”) by and between the Township and a trustee to be appointed by the Township (the “**Trustee**”), to secure the payment of the principal of, redemption premium, if any, and interest on the Bonds; and

**WHEREAS**, the Township will enter into an agreement (the “**Pledge and Assignment Agreement**”) with the Trustee, pursuant to which the Township will pledge the Pledged Annual Service Charge to the Trustee and assign certain rights of the Township under the Financial Agreement to the Trustee on behalf of the holders of the Bonds.

**NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, NEW JERSEY, AS FOLLOWS:**

**Section 1. Determination to Issue.** To accomplish the purposes and objectives of the Redevelopment Law and the RAB Law, the Township hereby determines to finance a portion of

the costs of the Infrastructure Improvements. In order to finance the Infrastructure Improvements as set forth herein, the Bonds are hereby authorized to be issued in the aggregate principal amount not to exceed \$2,300,000. The Bonds shall be issued in one or more series, shall be dated, shall bear interest at such rates of interest and shall be payable as to principal, interest and premium, if any, all as is specified therein. The Bonds shall be issued in the form, shall mature, shall be subject to redemption prior to maturity, shall be taxable or tax-exempt, and shall have such other details and provisions as are set forth in the Trust Indenture.

**Section 2. Bonds to Constitute Special, Limited Obligations.** The Bonds shall be special, limited obligations of the Township, payable solely out of the Pledged Annual Service Charge in accordance with the Financial Agreement and any other moneys derived pursuant to such agreements, and all such moneys are hereby pledged to the payment of the Bonds. The payment of the principal of, premium, if any, and interest on the Bonds shall be secured by a pledge and assignment of the Pledged Annual Service Charge and certain rights of the Township as provided in the Financial Agreement. Neither the members of the Township Council nor any person executing the Bonds issued pursuant to this Resolution, the Redevelopment Law and the RAB Law shall be liable personally on the Bonds by reason of the issuance thereof. The Bonds shall not be in any way a debt or liability of the Township other than to the limited extent set forth in the Trust Indenture. Neither the faith and credit nor taxing power of the Township is pledged to the payment of, the principal or redemption premium, if any, of or interest on the Bonds.

**Section 3. Authorization of Bonds.** (a) The Bonds shall mature no later than 30 years from the date of issuance and shall be issued in an aggregate principal amount not exceeding \$2,300,000. The Bonds shall bear interest at a rate or rates of interest which shall not exceed the maximum interest rates approved by the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs (the “**Local Finance Board**”).

(b) **The Mayor, Township Administrator and Director of Finance (each an “Authorized Officer”)** are each hereby authorized to execute and deliver on behalf of the Township a contract of purchase for the purchase of each series of Bonds (the “**Contract of Purchase**”) with an underwriter or underwriters (the “**Underwriter**” or “**Underwriters**”) or a purchaser (the “**Purchaser**”) to be determined by a certificate of award executed by an Authorized Officer (the “**Award Certificate**”) as determined by an Authorized Officer in consultation with counsel, approval thereof to be evidenced by such Authorized Officer's execution thereof, for the purchase of all, but not less than all, of each series of Bonds. The Bonds may be sold pursuant to a competitive sale, negotiated sale, limited placement agency, or direct private purchase, all as determined by an Authorized Officer. A copy of the Contract of Purchase shall be filed upon execution with the records of the Township.

**Section 4. Execution and Authentication.** The Bonds shall be executed and authenticated in accordance with the Trust Indenture and shall be issued in registered form qualifying for book entry registration.

**Section 5. Delivery of Bonds.** Following execution of the Bonds, each Authorized Officer is each hereby authorized to deliver the Bonds to the Trustee for authentication and, after authentication, to deliver the Bonds to the Underwriter(s) or Purchaser against receipt of the purchase price or unpaid balance thereof.

**Section 6. Approval of Offering Document.** The distribution by the Underwriter(s) of a Limited Offering Memorandum or Official Statement in preliminary form (the “**Preliminary Offering Document**”) relating to the Bonds (a draft of which shall be filed with records of the Township) in connection with the marketing of the Bonds, and the distribution of a final Limited Offering Memorandum or Official Statement relating to the Bonds to the purchasers of the Bonds (the “**Offering Document**”) is hereby authorized. Each Authorized Officer is each hereby authorized to (i) determine to sell the Bonds in a private placement transaction without a Preliminary Offering Document or final Offering Document, or (ii) approve the contents of the Preliminary Offering Document with such changes therein and modifications thereto as counsel may advise and such officer of the Township may approve. Each Authorized Officer is hereby authorized to approve the contents of the Offering Document and to execute the Offering Document on behalf of the Township, which Offering Document shall be in substantially the

form of the Preliminary Offering Document with such changes therein (including the insertion of the redemption provisions and the initial interest rates for the Bonds) and supplements thereto as counsel may advise and the officer of the Township executing the same may approve, such approval to be evidenced by such officer's execution thereof. Each Authorized Officer is hereby authorized to "deem final" the Preliminary Offering Document and to execute and deliver a certificate to the Underwriters to such effect.

**Section 7. Approval of Trust Indenture.** The form of the Trust Indenture presented to the Township Council (a copy of which is on file with the records of the Township), and all instruments to be attached thereto or executed in conjunction therewith, including the form of supplemental indenture, is each hereby approved. Each Authorized Officer is hereby authorized, in consultation with counsel, to select the Trustee, who will be identified in the Award Certificate. Each Authorized Officer is hereby authorized to execute, acknowledge and deliver, and the Township Clerk or Deputy Township Clerk are each hereby authorized to affix and attest the seal of the Township to, the Trust Indenture, in substantially such form, with such changes therein as counsel may advise and the officers executing the same may approve, such approval to be evidenced by their execution thereof.

**Section 8. Incidental Action.** Each Authorized Officer, as well as the Township Clerk, is hereby authorized to execute and deliver such other papers, instruments, certificates, opinions, affidavits and documents, including, without limitation, the Pledge and Assignment Agreement, and to take such other action as may be necessary or appropriate in order to carry out the purpose of this Resolution, including effectuating the execution and delivery of the Trust Indenture and any supplements thereto or amendments thereof, and any closing certificates required in connection with the issuance of the Bonds, and the issuance and sale of the Bonds, all in accordance with the foregoing sections hereof.

**Section 9. Capitalized Terms.** Capitalized terms used in this Resolution and not otherwise defined have the meaning given to such terms in the Trust Indenture.

**Section 10. Construction.** In case any one of more of the provisions of this Resolution, the Trust Indenture, the Contract of Purchase, the Offering Document or the Bonds issued hereunder shall for any reason be held illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, the Trust Indenture, the Contract of Purchase, the Offering Document and the Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained therein.

**Section 11. Effective Date.** This Resolution shall take effect immediately upon adoption.

#### RESOLUTION #20-241

**WHEREAS**, Top Line Construction Corp., Somerville, NJ ("Top Line") was previously awarded a contract for the Lynnwood & Crestwood Streets Improvements Project (the "Project"), in the amount not to exceed \$993,032.93; and

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

**WHEREAS**, certain filed adjustments and minor quantities changes to the Project resulted in a decrease in the total cost of the Project from \$993,032.93 to \$717,374.79, a decrease in the amount of \$275,658.14, or 27.76% of the total contract amount; and

**WHEREAS**, pursuant to a memorandum dated July 8, 2020 from the Township Supervisor of Engineering, a copy of which is attached hereto and made a part hereof, all the work has been completed on said Project and said Supervisor of Engineering recommends that the retainage, in the amount of \$14,347.50, be released to Top Line, upon Top Line posting a two (2) year maintenance bond in the amount of \$71,737.48; 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 approve the above referenced change order in the amount of \$275,658.14, amending the contact from \$993,032.93 to \$717,374.48; and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials be and are hereby authorized to accept the Project and return retainage funds in regard to the Lynnwood & Crestwood Streets Improvements Project to Top Line Construction Corp., Somerville, NJ, in the amount of \$14,347.50, upon Top Line posting a two (2) year maintenance bond in the amount of \$71,737.48.

RESOLUTION #20-242

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex; and

**WHEREAS**, the State Fiscal Year has been extended for a 5<sup>th</sup> Quarter for the period of July 1, 2020 through September 30, 2020; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Piscataway, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Piscataway Municipal Alliance grant for the 5<sup>th</sup> Quarter of Fiscal Year 2020 in the amount of:

DEDR	\$ 2,307.80
Cash Match	\$576.95
In-Kind	\$ 1,730.85

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
3. Township officials are authorized to execute the Municipal Alliance Contract Agreement between the County of Middlesex and the Township of Piscataway for the 5<sup>th</sup> Quarter of FY 2020 and any such other documents necessary to effectuate and receive the grant.

RESOLUTION #20-243

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex; and

**WHEREAS**, the 2021 State Fiscal Year has been reduced to 3 Fiscal Quarters; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Piscataway, County of Middlesex, State of New Jersey hereby recognizes the following:

4. The Township Council does hereby authorize submission of a strategic plan for the Piscataway Municipal Alliance grant for Fiscal Year 2021 (3 Fiscal Quarters) in the amount of:

DEDR           \$ 14,384.00  
 Cash Match   \$ 3,596.00  
 In-Kind       \$ 10,788.00

5. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
6. Township officials are authorized to execute the Municipal Alliance Contract Agreement between the County of Middlesex and the Township of Piscataway for FY2021 and any such other documents necessary to effectuate and receive the grant.

**RESOLUTION #20-244**

**WHEREAS**, the Tax Collector was unable to issue Tax Bills for the Third and Fourth Quarters of 2020 due to delays in processing of the Tax Bills; and

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Piscataway that the Tax Collector is hereby authorized to extend the grace period for the Third Quarter Tax Bills from August 10, 2020 to August 24, 2020 or 25 days after the date of mailing whichever is later. After which time interest will be assessed at the rate already adopted by the Township from the due date of August 1, 2020; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be filed in the Office of the Township Clerk.

**RESOLUTION #20-245**

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

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
6702	5.02		Kingsbridge 2005 LLC 20 Kingsbridge Rd	2020	13534.78	TAX COURT JUDGMENT

**THEREFORE, BE IT RESOLVED** that the Treasurer is hereby authorized to refund the overpayment of taxes to the record owner and the Collector is hereby authorized to adjust the records accordingly.

**RESOLUTION #20-246**

**WHEREAS**, LandTek Construction DBA United Terrain Group, Morganville, NJ ("LandTek") was previously awarded a contract for the Re-Bid Johnson Avenue Drainage Improvements Project (the "Project"), in the amount not to exceed \$169,536.50; and

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

**WHEREAS**, certain filed adjustments and minor quantities changes to the Project resulted in a decrease in the total cost of the Project from \$169,536.50 to \$165,125.85, a decrease in the amount of \$4,410.65, or 2.76% of the total contract amount; and

**WHEREAS**, pursuant to a memorandum dated July 15, 2020 from the Township Supervisor of Engineering, a copy of which is attached hereto and made a part hereof, all the work has been completed on said Project and said Supervisor of Engineering recommends that the retainage, in the amount of \$3,302.52, be released to LandTek, upon LandTek posting a two (2) year maintenance bond in the amount of \$16,512.58; 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 approve the above referenced change order in the amount of \$4,410.65, amending the contact from \$169,536.50 to \$165,125.85; and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials be and are hereby authorized to accept the Project and return retainage funds in regard to the Re-Bid Johnson Avenue Drainage Improvements Project to LandTek Construction DBA United Terrain Group,

Morganville, NJ, in the amount of \$3,302.52, upon Top Line posting a two (2) year maintenance bond in the amount of \$16,512.58.

RESOLUTION #20-247

**WHEREAS**, Abrol, INC t/a Wine Chateau is currently the holder of Liquor License Number 1217-44-016-005 (the "License") within the Township of Piscataway; and

**WHEREAS**, the Administration has been advised that Abrol, INC t/a Wine Chateau has requested approval of a person-to-person transfer of the License to Three Cheers LLC t/a Wine Chateau; and

**WHEREAS**, the Township of Piscataway Police Department completed a background investigation of the principals of Three Cheers LLC t/a Wine Chateau, which did not disclose any violations or inconsistencies that would prohibit said transfer; and

**WHEREAS**, pursuant to a Memorandum dated June 30, 2020 from the Township of Piscataway Police Department, said transfer is approved; and

**WHEREAS**, the Township Council of the Township of Piscataway finds that it is in the public benefit to promote the active use of the liquor licenses within the Township; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway, that the request for the person-to-person transfer of Plenary Retail Consumption License Number 1217-44-016-005 to be regenerated as Plenary Retail Consumption License Number 1217-44-016-006 from Abrol, INC t/a Wine Chateau to Three Cheers LLC t/a Wine Chateau be and is hereby approved, and the appropriate municipal officials are hereby authorized to execute all documents necessary to effectuate the transfer of the license.

RESOLUTION #20-248

**WHEREAS**, Valencia Piscataway, LLC paid sewer connection fees in the amount of \$661,200.00; and

**WHEREAS**, the Township Chief Financial Officer and Township Attorney have determined that there was an overpayment by Valencia Piscataway, LLC of the sewer connection fees in the amount of \$217,225.00; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to refund overpaid sewer connection fees, in the amount of \$217,225.00, to Valencia Piscataway, LLC.

The following are the disbursements for the months of May and June 2020

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Steve Cahn - Happy to be doing ribbon cutting for community center on Saturday  
Chanelle McCullum condolences to judge in No Brunswick who lost her son  
Kapil Shah – Last weekend kids really loved Raritan Rapids  
Timothy Dacey – Libraries are open effective Monday with certain restrictions.  
Gabrielle Cahill – echoed Mrs. McCullum and Mr. Shah’s comments

The Council considered the matters on the Agenda session:

- ORDINANCE – SECOND READING – Authorizing Sale of Certain Lands Owned by the Township – Block 5201, Lot 19.01 – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Resident Connection to Public Water Supply on Harold Place – RESOLUTION Adopting Ordinance. – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING - Vacating All Right, Title and Interest of Township of Piscataway of Remaining Portion of North Randolphville Road – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Supplementing Chapter XVII (17) – Property Maintenance – Section 17.4 Maintenance of Swimming Pools, Spas and Hot Tubs – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- RESOLUTION – Appointing Alex Moise as Certified Tax Collector for term expiring December 31, 2023.
- RESOLUTION – Authorizing Return of Escrow Fees:
  - Tower Realty Group LLC – Francesco Pinelli
- RESOLUTION – Authorizing Refund of Duplicate Rent Payment – Diane Kelly.
- RESOLUTION – Authorizing Award of Bid – Special Assessment Sidewalk Plans – Bid Opening July 30, 2020.

OPEN TO PUBLIC:

Ken Simmons, 113 Willow Ave, asking about resolution regarding 88 Centennial. Mayor Wahler responded.

Pratik, 29 Redbud Rd, concerned with mandate on masks and 13<sup>th</sup> amendment.

Staci Berger, 233 Ellis Parkway, appreciates governor and mask mandate. Asking about agenda and back up materials for meetings going forward when meetings aren’t in person. Asked why a new tax collector is being hired. Asked what Karen Light does.

There being no further comments, this portion of the meeting was closed to the public.

There being no further business to come before the council, the meeting was adjourned at 8:21pm on motion of Mr. Shah, seconded by Mrs. McCullum, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

\_\_\_\_\_  
Gabrielle Cahill  
Council President