

August 11, 2020

A Regular Meeting of the Piscataway Township Council was held on August 11, 2020 via the telephone meeting format, Zoom. The meeting was called to order by Council President, Gabrielle Cahill, at 7:32 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. Bullard, Cahn, Lombardi, McCullum, Shah, 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: **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**

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b)(5), the Township is authorized to sell real property without any capital improvements thereon by a private sale to an owner of real property continuous to the Township's real property being sold; and

WHEREAS, the Township has determined to sell the real property identified as an approximately 7,700 square foot parcel commonly known as 1514 South Washington Avenue and designated as Block 5201, Lot 19.01 on the Tax Map of the Township of Piscataway ("the Property"), by way of private sale in accordance with N.J.S.A. 40A:12-13(b)(5) to the only interested continuous property owner; and

WHEREAS, the Township has determined that the Property is not needed for public use; and

WHEREAS, the Property is located in one of the Township's LI-5 Light Industrial Zones, and under the Township Municipal Zoning Ordinance the minimum lot area for development in that zone is 215,000 square feet, rendering the Property non-conforming; and

WHEREAS, the Township has previously retained Sterling, DiSanto & Associates to appraise the Property; and

WHEREAS, the appraisal of real estate for the Property dated August 27, 2019 indicates a fair market value of \$46,000.00; and

WHEREAS, the Township wishes to place certain conditions and restrictions upon the sale; and

WHEREAS, the conditions and restrictions to be imposed will include that the Township will convey the Property by Deed subject to a 5.0 foot deep Permanent Easement for Municipal Purposes and a 5.0 foot deep Temporary Construction Easement along the entire South Washington Avenue frontage of the Property, which will permit but not obligate the Township to install and/or repair or replace curbs, sidewalks, gutters, bike lanes, roadways, and appropriate drainage therefore, stormwater and sanitary sewage facilities, and gas, electric, water supply and utility and communication systems; and

WHEREAS, there is only one contiguous owner of real property interested in purchasing the real property.

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

Pursuant to N.J.S.A. 40A:12-13(b)(5), it is hereby determined that the Property is not needed for public use; is without any capital improvement thereon; and has a lot area less than the minimum size required for development under the Township's Municipal Zoning Ordinance.

Pursuant to N.J.S.A. 40A:12-13(b)(5), The Township of Piscataway is hereby authorized to sell the Property to the only interested contiguous owner of real property to the Property for the appraised value of \$46,000.

The Assistant Township Attorney is hereby authorized to prepare a contract for the sale of the Property and the Mayor and Municipal Clerk are hereby authorized to execute said contract, as well as a Deed and all other customary closing documents to effectuate the sale of the Property.

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, 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. There being no comments, the public portion was closed.

RESOLUTION offered by Mr. Cahn, seconded by Mr. Shah: 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 was introduced on the 21st day of July, 2020 and had passed the first reading and was published on the 25th day of July, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on August 11, 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. 2020-20. On roll call vote: Messrs. Bullard, Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

The Clerk read for SECOND 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**
WHEREAS, residential wells in the Harold Place vicinity have recently been found to be contaminated and are now not a safe source for water supply; and
WHEREAS, the Township is coordinating and paying for the installation of a water main to provide replacement water supply to the residents of Harold Place; and
WHEREAS, the Township desires for the residents to connect to the new water main within ninety (90) days of completion of the water main for the health and safety of the residents; and
WHEREAS, the Mayor and Township Council of the Township of Piscataway (“Township”), Middlesex County, finds it in the best interest of the public to have the property owners connect the following properties to the Township water main on Harold Place (the “Properties”):

Block	Lot	Class	Location	Owner
303	70.01	2	646 HAROLD PL	KACZKOS, KONRAD P & ANNA
303	73.01	2	650 HAROLD PL	LIU, HARRY
303	77.01	2	654 HAROLD PL	INGRAM, SYLVESTER & MARION
303	79.01	2	658 HAROLD PL	VELIZ, MARVIN & ELVIA M
402	45.01	2	804 HAROLD PL	VALLE, PETER
403	23.01	2	805 HAROLD PL	BLAIR, L & BLAIR, M & WILLIAMS, M L

407	1.01	2	901 HAROLD PL	ANNUNZIATA, CARMINE & ELIZABETH D
407	7.01	2	907 HAROLD PL	QUINTERO,CARLOS A & ORELLANA, ANA V
408	17.01	15C	925 HAROLD PL	TOWNSHIP OF PISCATAWAY

*WHEREAS, **Stern v. Halligan, 158 F.3d 729 (1998)**, provides the Township with ample justification to take government action to safeguard citizens by requiring certain residents to connect to the municipal water supply; and*

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey that the owners of the above referenced Properties must connect to the Township water main on Harold Place within ninety (90) days of notice by the Township; and

BE IT FURTHER ORDAINED that if any of the above listed property owners fail or refuse to connect to the water main within the ninety (90) day notice period, that the Township is authorized to make any required connection, installation, or well sealing upon the above listed Properties; and

BE IT FURTHER ORDAINED that pursuant to N.J.S.A. 40:56-1, et. seq., if the Township is required to make any connection, installation, or well sealing on behalf of the property owners, that the costs to make said local improvements shall be assessed upon the property after confirmation of said costs by the Township Council; and

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

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

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

Mrs. Cahill opened the Meeting to the Public for Comments: **ORDINANCE REGARDING RESIDENT CONNECTION TO PUBLIC WATER SUPPLY ON HAROLD PLACE, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.**

Mary Williams, 805 Harold Pl asked who is paying for this since they are not being given a choice. Raj Goomer explained this is because 2 wells on the street are contaminated, and the township is investing in having the water line run but the cost to have line run from street to homes is on the resident. If there is a financial issue residents can contact Mayor’s office to work it out.

RESOLUTION offered by Mrs. McCullum, seconded by Mrs. Lombardi: **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** was introduced on the 21st day of July, 2020 and had passed the first reading and was published on the 25th day of July, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on August 11, 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. 2020-21. On roll call vote: Messrs. Bullard, Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

The Clerk read for **SECOND 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.**

WHEREAS, the governing body of the Township of Piscataway has been requested to vacate all the right, title and interest of the Township in the remaining portion of North Randolphville Road; and

WHEREAS, the remaining portion of North Randolphville Road to be vacated has a predominant width of 65 feet, and extends a length of between 381.89 linear feet and 423.54 linear feet to its intersection with Old New Brunswick Road and containing an area of 26,176 square feet as described in the metes and bounds description and map attached hereto as Exhibits A and B respectively; and

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

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

1. The rights of the public and the Township of Piscataway in and to the above-referenced remaining portion of North Randolphville Road, are hereby extinguished and vacated; and
2. Pursuant to N.J.S.A. 40:49-6, at least one week prior to the time affixed for consideration of this Ordinance for final passage, a copy thereof, together with a notice of introduction thereof, at a time and place when and where the Ordinance will be further considered for final passage, should be mailed to every person whose land may be affected by this Ordinance insofar as it may be ascertained. Said notices shall be mailed by the Township Clerk to the owner of Block 4501, Lot 1.02 and Block 4502, Lot 1; and;
3. The Township Clerk shall, within 60 days of the effective date of this Ordinance, file copies of this Ordinance certified by her under the seal of the Township to be true copy thereof, together with proof of publication thereof in the office of the Clerk of the County of Middlesex in accordance with the provisions of N.J.S.A. 40:67-21; and
4. The Mayor and Council declare this unimproved paper street and right-of-way to be surplus and not needed for public use; and
5. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable; and
6. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior Ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

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

Mrs. Cahill opened the Meeting to the Public for Comments: 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. 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: 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 was introduced on the 21st day of July, 2020 and had passed the first reading and was published on the 25th day of July, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on August 11, 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. 2020-22.
On roll call vote: Messrs. Bullard, Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

The Clerk read for SECOND 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

BE IT ORDAINED, by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter XVII – Property Maintenance, is hereby supplemented to add §17-4 Maintenance of Swimming Pools, Spas and Hot Tubs, to read as follows:

17.4 Maintenance of Swimming Pools, Spas and Hot Tubs:

§17-4.1 Swimming Pools, Spas and Hot Tub

All swimming pools, spas and hot tubs shall be maintained in a clean and sanitary condition, and in good state of repair.

§17-4.2 Pool, Spa and Hot Tub Enclosures

All swimming pools, spas and hot tubs, containing water more than 24 inches in depth shall be completely surrounded by a fence, or a barrier not less than 48 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches from the gate post. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Hot tubs and spas with a safety cover that complies with American Society for Testing and Materials F1346 shall be exempt from the provisions of this section.

§17-4.3 Penalty

Any person who shall violate §17-4.1 or §17-4.2 shall, upon conviction thereof, be punished by a fine of no less than \$250.00 and no greater than \$2,000.00.

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 SUPPLEMENTING CHAPTER XVII (17), PROPERTY MAINTENANCE OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY. There being no comments, the public portion was closed.

RESOLUTION offered by Mrs. McCullum, 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 was introduced on the 21st day of July, 2020 and had passed the first reading and was published on the 25th day of July, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on August 11, 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. 2020-23.

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

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY, AUTHORIZING A PUBLIC BIDDING PROCESS FOR THE SALE OF AN EASEMENT THROUGH A PORTION OF BLOCK 8403, LOT 18.

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, AUTHORIZING A PUBLIC BIDDING PROCESS FOR THE SALE OF AN EASEMENT THROUGH A PORTION OF BLOCK 8403, LOT 18 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 1st day of September, 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. Bullard, Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE AMENDING CHAPTER XIV (14) BUILDING OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.

RESOLUTION offered by Mr. Cahn, seconded by Mrs. Lombardi, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that ORDINANCE AMENDING CHAPTER XIV (14) BUILDING 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 1st day of September, 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. Bullard, Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE FOR THE ACQUISITION OF LAND IN FEE SIMPLE AND ALL STRUCTURES THEREON FOR THE SUPPORT OF THE COMMUNITY CENTER IN PISCATAWAY TOWNSHIP, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.

RESOLUTION offered by Mr. Cahn, seconded by Mrs. Lombardi, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that ORDINANCE FOR THE ACQUISITION OF LAND IN FEE SIMPLE AND ALL STRUCTURES THEREON FOR THE SUPPORT OF THE COMMUNITY CENTER IN PISCATAWAY TOWNSHIP, 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 1st day of September, 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. Bullard, Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

The Clerk read for FIRST READING the following ORDINANCE: AN ORDINANCE APPROVING THE TRAFFIC SIGNAL IMPROVEMENTS FOR STELTON ROAD AND ETHEL ROAD AND STELTON ROAD AND JESSE WAY IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY.

RESOLUTION offered by Mr. Cahn, seconded by Mrs. Lombardi, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that AN ORDINANCE APPROVING THE TRAFFIC SIGNAL IMPROVEMENTS FOR STELTON ROAD AND ETHEL ROAD AND STELTON ROAD AND JESSE WAY 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 1st day of September, 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. Bullard, Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

RESOLUTION #20-249

RESOLUTION offered by Mr. Bullard, 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 August 11, 2020 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Appointing Alex Moise as Certified Tax Collector for term expiring December 31, 2023.
- b. RESOLUTION – Authorizing Return of Escrow Fees:
 - 10273 Tower Realty/One Possumtown, LLC – Block 413.1, Lot 3.06 – Possumtown Road.
- c. RESOLUTION – Authorizing Refund of Duplicate Rent Payment – Diane Kelly.
- d. RESOLUTION – Authorizing Award of Bid – Special Assessment Sidewalk Plans – Diamond Construction – Not to Exceed \$141,570.81.
- e. RESOLUTION – Approval of Memorandum of Understanding by and Between the Township of Piscataway and Allied Public Works Employees.
- f. RESOLUTION – Authorizing Release of Maintenance Bond:
 - Alexander Malloy - Block 10514, Lot 6.01 – 311 Roosevelt Avenue.
- g. RESOLUTION – Authorizing Return of Performance Surety and Cash Bonds: Tan Truong & NGA Vu – Block 6602, Lot 22 – 451 Second Avenue.
- h. RESOLUTION – Authorizing Return of Street Opening Bonds:
 - Groundwater & Environmental Services, Inc. – Block 124, Lot 1.01 – West 6th Street.
 - Alonzo Perry – Block 11313, Lot 2 – 15 Farragut Drive.
 - OE Investments LLC – Block 417, Lot 1.01 – 1500 Albert Street.
 - OE Investments, LLC – Block 1915, Lot 26.01 – 70 Grandview Avenue East.
- i. RESOLUTION – Authorizing Return of Soil Erosion/Landscape Bond:
 - Melmed Construction Co. – Block 417, Lot 1.01 – 1500 Albert Street.
- j. RESOLUTION – Authorizing 2020 JFK Library Flat/Membrane Roof Replacement – Weatherproofing Technologies, Inc. – Not to Exceed \$88,944.30.
- k. RESOLUTION – Authorizing Refund of International Women’s Day Celebration Fees.

- l. RESOLUTION – Authorizing Award of Contract for Asphalt Coring Testing for Roadway Improvement Plan Morris Avenue – Key-Tech – Not to Exceed \$3,235.00.
- m. RESOLUTION – Authorizing Return of Retail Food Establishment Temporary License Application Fees.
- n. RESOLUTION – Authorizing Return of Sterling Village Security Deposit:
 - Sumanchandra & Veena Sunan Patel – Apt. 414
- o. RESOLUTION – Authorizing Emergency Purchase – Hurricane Isaias Vegetative Debris Removal and Disposal – M & A Tree Service – Not to Exceed \$100,000.00.
- p. RESOLUTION – Authorizing Emergency Purchase – Hurricane Isaias Vegetative Debris Disposal – J.H. Reid – Not to Exceed \$100,000.00.
- q. RESOLUTION – Authorizing Emergency Purchase – Hurricane Isaias Sidewalk Repair – M Sky Construction - Not to Exceed \$50,000.00
- r. RESOLUTION – Approving 2020 Solicitor’s License – N. Medina-Castillo.
- s. RESOLUTION – Authorizing Return of Performance Surety and Cash Bonds and Engineering and Inspection Fees:
 - Walmart Real Estate – Block 5501, Lot 12.02 – 1303 Centennial Avenue – 13-PB-17.
- t. RESOLUTION – Authorizing Professional Appraisal Services – Block 11303, Lot 4 – 616 Park Avenue – Sterling DiSanto & Associates – Not to Exceed \$1,500.00.
- u. MOTION – Accept Council Meeting Minutes for May 5, June 4, and July 21, 2020.
- v. MOTION – Accept the Report of the Clerk’s Account – July 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 August 11, 2020 Regular meeting and adopted by separate vote.

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

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

RESOLUTION #20-250

WHEREAS, pursuant to N.J.S.A. 40A:9-141, the Township of Piscataway's Governing Body shall provide for the appointment of a municipal tax collector; and

WHEREAS, pursuant to N.J.S.A. 40A:9-142, a vacancy in the municipal tax collector’s office, other than due to the expiration of the term shall be filled by appointment for the unexpired term; and

WHEREAS, Kathleen Silber, the current Tax Collector, retired on July 31, 2020, creating a vacancy for an unexpired term; and

WHEREAS, the Mayor of the Township of Piscataway has recommended Mr. Alex Moise for the position of Tax Collector for the Township of Piscataway; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township Council hereby appoints Mr. Alex Moise as a certified Tax Collector for the Township of Piscataway for the remaining unexpired term, which terminates on December 31, 2023.

RESOLUTION #20-251

WHEREAS, on October 19, 2011, January 30, 2012, March 14, 2012 and May 18, 2012, One Possumtown, LLC, Middlesex, NJ and 10273 Tower Realty Group LLC, Middlesex, NJ posted escrow checks with the Township of Piscataway in the amounts of \$1,000.00, \$300.00, \$950.00, and \$950.00, respectively, regarding Zoning Board Application #11-ZB-48V for Block 413.1, Lot 3.06 (Possumtown Road); and

WHEREAS, pursuant to a Request for Release of Funds dated June 23, 2020 and a Memorandum from the Township Supervisor of Planning dated July 15, 2020, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$34.22 to 10273 Tower Realty Group LLC, Middlesex, 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 10273 Tower Realty Group LLC, Middlesex, NJ, in the amount of \$34.22, regarding Zoning Board Application #11-ZB-48V for Block 413.1, Lot 3.06 (Possumtown Road).

RESOLUTION #20-252

WHEREAS, Diane Kelly, a resident of Sterling Village, 1 Sterling Drive, Unit 137, made a duplicate payment for her July 2020 rent of \$894.00

WHEREAS, the Director of Finance recommends that the duplicate rent payment be refunded to Diane Kelly; 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 the duplicate rent payment made by Diane Kelly, 1 Sterling Drive, Apt 137, in the amount of \$894.00

RESOLUTION #20-253

WHEREAS, on July 30, 2020, the Township of Piscataway (the “Township”) received two (2) bids in regard to the 2020 Special Assessment Sidewalk Plans (the “Project”); and

WHEREAS, the Township Supervisor of Engineering reviewed the bids and recommended awarding a contract for the Project to Diamond Construction, Brick, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$141,570.81; and

WHEREAS, funds are available pursuant to certification # B-2020-023;

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 2020 Special Assessment Sidewalk Plans Project to Diamond Construction, Brick, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$141,570.81, subject to all bid specifications and contract documents.

RESOLUTION #20-254

WHEREAS, the Township of Piscataway (the “Township”) wishes to enter into a Memorandum of Understanding (“MOU”) with Allied Public Works Employees, (“Union”), as a successor contract to the collective bargaining agreement that expired on December 31, 2018, for the period from January 1, 2019 through December 31, 2023; and

WHEREAS, the Township and the Union are authorized to enter into this Agreement pursuant to N.J.S.A. 40A:11-5(2); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township Council formally approves the MOU; and

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

RESOLUTION #20-255

WHEREAS, Alexander Malloy, Piscataway, NJ, requests the release of a Maintenance Bond in the original amount of \$210.00, which was posted with the Township of Piscataway on November 21, 2017 for Planning Board Application #10-PB-13V/14 regarding improvements for Block 10514 (Former Blk 774), Lot 6.01 (311 Roosevelt Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated July 15, 2020 and a letter from the Township Supervisor of Engineering dated July 17, 2020, 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 \$210.00, to Alexander Malloy, Piscataway, NJ, regarding Planning Board Application #10-PB-13V/14.

RESOLUTION #20-256

WHEREAS, Tan Truong, Piscataway, NJ, requests the release of a Performance Surety Bond in the original amount of \$12,414.60 and a Cash Bond in the original amount of \$1,379.40, which were posted with the Township of Piscataway on April 11, 2019 and April 15, 2019, respectively, regarding improvements for Block 6602 (F/Blk 502.14), Lot 22 (451 Second Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated July 9, 2020 and a letter from the Township Supervisor of Engineering dated July 17, 2020, 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), upon Tan Truong posting a two (2) year Maintenance Bond in the amount of \$1,149.50; 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 \$1,379.40 to Tan Truong & NGA Vu, Piscataway, NJ and said Cash Bond in the amount of \$12,414.60 to Tan Truong, Piscataway, NJ, regarding improvements for Block 6602 (F/Blk 502.14), Lot 22 (451 Second Avenue), upon Tan Truong posting a two (2) year Maintenance Bond in the amount of \$1,149.50.

RESOLUTION #20-257

WHEREAS, Alonzo Perry, Sr., Piscataway, NJ, request the return of a Street Opening Bond in the amount of \$500.00, posted with the Township of Piscataway on October 29, 2015 regarding repairs and inspections for Block 11313, Lot 2 (15 Farragut Drive); and

WHEREAS, pursuant to a Request for Release of Funds dated July 20, 2020 and a memorandum from the Supervisor of Engineering dated July 22, 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, Groundwater & Environmental Services, Inc., Wall, NJ, request the return of a Street Opening Bond in the amount of \$500.00, posted with the Township of Piscataway on March 7, 2019 regarding repairs and inspections for Block 124, Lot 1.01 (West 6th Street); and

WHEREAS, pursuant to a Request for Release of Funds dated July 17, 2020 and a memorandum from the Supervisor of Engineering dated July 22, 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, OE Investments, LLC, Holmdel, NJ, requests the return of a Street Opening Bond in the amount of \$500.00, posted with the Township of Piscataway on August 9, 2018 regarding repairs and inspections for Block 1915, Lot 26.01 (70 Grandview Avenue East); and

WHEREAS, pursuant to a Request for Release of Funds dated July 22, 2020 and a memorandum from the Supervisor of Engineering dated July 30, 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, OE Investments, LLC, Holmdel, NJ, request the return of a Street Opening Bond in the amount of \$500.00, posted with the Township of Piscataway on August 9, 2018 regarding repairs and inspections for Block 417, Lot 1.01 (1500 Albert Street); and

WHEREAS, pursuant to a Request for Release of Funds dated July 22, 2020 and a memorandum from the Supervisor of Engineering dated July 30, 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 Alonzo Perry, Sr., 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 Groundwater & Environmental Services, Inc., Wall, 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 OE Investments, LLC, Holmdel, NJ, in the amount of \$500.00, regarding Block 1915, Lot 26.01 (70 Grandview Avenue East); 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 OE Investments, LLC, Holmdel, NJ, in the amount of \$500.00, regarding Block 417, Lot 1.01 (1500 Albert Street).

RESOLUTION #20-258

WHEREAS, Melmed Construction Company, Inc., Holmdel, NJ, requests the return of a Soil Erosion/Sediment Control Bond in the amount of \$1,000.00, posted on June 18, 2019 with the Township of Piscataway for improvements for Block 417, Lot 1.01 (1500 Albert Street); and

WHEREAS, pursuant to a Request for Release of Funds dated July 15, 2020 and a Memorandum from the Township Supervisor of Engineering dated July 23, 2020, 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 Melmed Construction Co.; 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 Melmed Construction Company, Inc., Holmdel, NJ, regarding Block 417, Lot 1.01 (1500 Albert Street).

RESOLUTION #20-259

WHEREAS, the Township Assistant Director of Public Works has advised that the Township is in need of the 2020 JFK Library Flat/Membrane Roof Replacement (the "Roof"); and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract for Roof through Educational Services Commission of NJ Bid #ESCNJ 19/20-15 "Roofing Repair & Maintenance Services", NJ State Approved Co-op #65MCECCPS to Weatherproofing Technologies, Inc., Beachwood, NJ, in the amount not to exceed \$88,944.30; and

WHEREAS, N.J.S.A. 52:34-6.2 et. seq. authorizes the Township to make purchases and contract for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process; and

WHEREAS, funds are available pursuant to certification # R-2020-0091;

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 2020 JFK Library Flat/Membrane Roof Replacement through Educational Services Commission of NJ Bid #ESCNJ 19/20-15 "Roofing Repair & Maintenance Services", NJ State Approved Co-op #65MCECCPS to Weatherproofing Technologies, Inc., Beachwood, NJ, in the amount not to exceed \$88,944.30, subject to all bid specifications and contract documents.

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 #20-260

WHEREAS, the Director of Office and Aging, received \$968.00 from members of the Senior Center for the celebration of International Women’s Day;

WHEREAS, the celebration has been canceled due to Covid-19

WHEREAS, the Director of Office on Aging recommends that monies collected as per the attached list be refunded;

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 of monies collected for the celebration of International Women’s Day in the amount of 968.00

RESOLUTION #20-261

WHEREAS, on July 28, 2020, the Township of Piscataway (the “Township”) received three (3) quotes in regard to Asphalt Coring Testing in regard to Roadway Improvement Plan for Morris Avenue (the “Project”); and

WHEREAS, the Township Supervisor of Engineering reviewed the quotes and recommended awarding a contract for the Project to Key-Tech, Keyport, NJ, in the amount not to exceed \$3,235.00; and

WHEREAS, funds are available pursuant to certification # R-2020-0090

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 in regard to Asphalt Coring Testing in regard to Roadway Improvement Plan for Morris Avenue to Key-Tech, Keyport, NJ, in the amount not to exceed \$3,235.00, subject to all bid specifications and contract documents.

RESOLUTION #20-262

WHEREAS, Harry’s lil Kitchen, Parlin, NJ, submitted Retail Food Establishment Temporary License Application Fees, in the amount of \$100.00, received by the Township of Piscataway (the “Township”) on July 20, 2020; and

WHEREAS, Legends Event Production, LLC, Somerset, NJ, submitted Retail Food Establishment Temporary License Application Fees, in the amount of \$100.00, received by the Township on July 24, 2020; and

WHEREAS, Smokin Jerks BBQ, Newark, NJ, submitted Retail Food Establishment Temporary License Application Fees, in the amount of \$100.00, received by the Township on July 24, 2020; and

WHEREAS, the above referenced entities have requested a refund of their application fees in regard to the New Jersey Jerk Festival, which was supposed to take place on August 8, 2020, but was cancelled due to COVID-19; 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 Retail Food Establishment Temporary License Application Fees to Harry’s lil Kitchen, Parlin, NJ, Legends Event Production, LLC, Smokin Jerks BBQ, Newark, NJ, in the amounts of \$100.00, respectively, in regard to the New Jersey Jerk Festival.

RESOLUTION #20-263

WHEREAS, Sumanchandra Patel requests the return of a Security Deposit in the amount of \$997.28 posted with the Township of Piscataway for Apartment 414 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$997.28, to Sumanchandra Patel; 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 Sumanchandra Patel, in the amount of \$997.28 in regard to Apartment 414 at Sterling Village.

RESOLUTION #20-264

WHEREAS, on August 4, 2020, the Governor of New Jersey declared a state of emergency due to Hurricane Isaias; and
WHEREAS, due to its heavy rain and high winds, Hurricane Isaias caused numerous trees and tree branches to fall over; and
WHEREAS, N.J.S.A. 40A:11-6 allows the Township to award emergency contracts where it affects the public health, safety or welfare; and
WHEREAS, in order to protect the health, safety and welfare of the general public the Township DPW are removing the dangerous fallen trees and must dispose of the vegetative debris; and
WHEREAS, the Director of the DPW and the Business Administrator approved the emergency services as specified in the Certification of Request for Emergency Purchases, a copy of which is attached hereto and made a part hereof; and
WHEREAS, the Director of DPW recommends that a purchase order for M & A Tree Service, Inc., Somerville, NJ be created for an amount not to exceed \$100,000.00; and
WHEREAS, funds are available pursuant to certification # R-2020-0093
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to execute an emergency contract with M & A Tree Service, Inc., Somerville, NJ, for emergency vegetative debris removal as a result of Hurricane Isaias in the amount not to exceed \$100,000.00, subject to all contract documents.

RESOLUTION #20-265

WHEREAS, on August 4, 2020, the Governor of New Jersey declared a state of emergency due to Hurricane Isaias; and
WHEREAS, due to its heavy rain and high winds, Hurricane Isaias caused numerous trees and tree branches to fall over; and
WHEREAS, N.J.S.A. 40A:11-6 allows the Township to award emergency contracts where it affects the public health, safety or welfare; and
WHEREAS, in order to protect the health, safety and welfare of the general public the Township DPW are removing the dangerous fallen trees and must dispose of the vegetative debris; and
WHEREAS, the Director of the DPW and the Business Administrator approved the emergency services as specified in the Certification of Request for Emergency Purchases, a copy of which is attached hereto and made a part hereof; and
WHEREAS, the Director of DPW recommends that a purchase order for J.H. Reid, Middlesex, NJ be created for an amount not to exceed \$100,000.00; and
WHEREAS, funds are available pursuant to certification # R-2020-0095
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to execute an emergency contract with J.H. Reid, Middlesex, NJ, for emergency vegetative debris removal as a result of Hurricane Isaias in the amount not to exceed \$100,000.00, subject to all contract documents.

RESOLUTION #20-266

WHEREAS, on August 4, 2020, the Governor of New Jersey declared a state of emergency due to Hurricane Isaias; and
WHEREAS, due to its heavy rain and high winds, Hurricane Isaias caused numerous trees and tree branches to fall over which consequently, in several locations throughout the Township, caused sidewalks to be upheaved presenting a tripping and collapsing hazard; and
WHEREAS, N.J.S.A. 40A:11-6 allows the Township to award emergency contracts where it affects the public health, safety or welfare; and
WHEREAS, in order to protect the health, safety and welfare of the general public, the Township must repair the upheaved sidewalks; and

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

WHEREAS, the Director of DPW recommends that a purchase order for Msky Construction Corp., Lake Hopatcong, NJ be created for an amount not to exceed \$50,000.00; and

WHEREAS, funds are available pursuant to certification # R-2020-0094

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to execute an emergency contract with Msky Construction Corp., Lake Hopatcong, NJ, for emergency sidewalk repairs as a result of Hurricane Isaias in the amount not to exceed \$50,000.00, subject to all contract documents.

RESOLUTION #20-267

WHEREAS, Naief O. Medina-Castillo has applied with the Township of Piscataway for a Solicitors License for 2020; and

WHEREAS, pursuant to a letter from the Piscataway Township Police Department dated July 29, 2020, a copy of which are attached hereto and made a part hereof, the Piscataway Township Police Department recommends granting a Solicitors License to Naief O. Medina-Castillo; 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 issue a Solicitors License for 2020 to Naief O. Medina-Castillo.

RESOLUTION #20-268

WHEREAS, Wal-Mart Real Estate Business Trust, Bentonville, AR ("Wal-Mart") has withdrawn their application in regard to the project on Block 5501, Lot 12.02 (1303 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated August 4, 2020 and a Memorandum from the Township Supervisor of Engineering dated August 5, 2020, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that Wal-Mart's application has been withdrawn and that unexpended engineering and inspection fee funds in the amount of \$59,254.10 be returned to Wal-Mart Real Estate Business Trust, Bentonville, AR; and

WHEREAS, Wal-Mart Real Estate Business Trust, Bentonville, AR requests the release of a Performance Surety Bond, submitted by Wal-Mart Stores, Inc dba Store 2633, Bentonville, AR in the original amount of \$1,264,173.02 and a Cash Bond, submitted by Wal-Mart Real Estate Business Trust, Bentonville, AR in the original amount of \$140,463.67, which were posted with the Township of Piscataway on June 9, 2016 and October 12, 2016, respectively, for improvements on Block 5501, Lot 12.02 (1303 Centennial Avenue) regarding Application # 13-PB-17; and

WHEREAS, pursuant to a Request for Release of Funds dated August 4, 2020 and a letter from the Township Supervisor of Engineering dated August 5, 2020, 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 unexpended engineering and inspection fee funds to Wal-Mart Real Estate Business Trust, Bentonville, AR, in the amount of \$59,254.10, regarding Block 5501, Lot 12.02 (1303 Centennial Avenue); 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 Performance Surety Bond in the amount of \$1,264,173.02 to Wal-Mart Stores, Inc dba Store 2633, Bentonville, AR and said Cash Bond in the amount of \$142,169.53 (including accrued interest) to Wal-Mart Real Estate Business Trust, Bentonville, AR for improvements on Block 5501, Lot 12.02 (1303 Centennial Avenue), regarding Application # 13-PB-17.

RESOLUTION #20-269

WHEREAS, the Township of Piscataway requires Professional Appraisal Services in regard to Block 11303, Lot 4 (616 Park Avenue) (the "Project"); and

WHEREAS, Sterling DiSanto & Associates, Somerville, NJ, has submitted a proposal dated August 7, 2020, for Professional Appraisal Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$1,500.00; and **WHEREAS**, Sterling DiSanto & Associates was previously qualified under the Fair and Open Process to provide professional services for Professional Appraisal Services - Various Projects by the Township of Piscataway for 2020; and

WHEREAS, there is funding available pursuant to certification # R-2020-0096

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Sterling DiSanto & Associates, Somerville, NJ, to provide Professional Appraisal Services in regard to Block 11303, Lot 4 (616 Park Avenue), at the rates set forth in said Proposal, with such services not to exceed \$1,500.00 in cost.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Mrs. McCullum – congratulated Democratic party.

Mayor Wahler is looking to make a change in ordinance in reference to pop up parties and is consulting with township attorneys.

Mrs. Cahill made comments on optimum cable service.

The Council considered the matters on the Agenda session:

- ORDINANCE – SECOND READING – Authorizing Public Bidding Process for Sale of Easement through a Portion of Block 8403, Lot 18 – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Amending Chapter XIV (14) Building – Section 14-3.4 Fees – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Acquisition of Land in Fee Simple and All Structures Thereon for the Support of the Community Center – Block 11303, Lot 4 – 616 Park Avenue – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Acceptance of Traffic Signals at Stelton Road (C.R. 529) and Ethel Road and Stelton Road (C.R. 529) and Jesse Way – OPEN TO PUBLIC – RESOLUTION Adopting Ordinance.
- RESOLUTION – Authorizing Renewal of Liquor Licenses.
- MOTION – Accept Report of the Division of Revenue – July 2020.
- MOTION – Receive and Enter into Minutes Disbursements for the Month of July 2020.

OPEN TO PUBLIC:

Mr. Patel, 52 Justice St, asked about increasing competition for cable companies.

Ken Simmons, 113 Willow Ave, asking about the MOA with Public Works.

Bernard Ray, 75 Castle Pointe Blvd, spoke on need for cable competition.

There being no further business to come before the council, the meeting was adjourned at 8:26pm on motion of Mrs. Lombardi, seconded by Mr. Shah, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

Gabrielle Cahill
Council President