

November 5, 2020

A Regular Meeting of the Piscataway Township Council was held on November 5, 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. Bullard, 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 no comments this portion of the meeting was closed.

The Clerk read for SECOND READING the following ORDINANCE: **ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER VII (7), TRAFFIC, SECTION 17.8, SCHEDULE OF RESIDENTIAL PERMIT PARKING AREAS.**

WHEREAS, the Mayor and Township Council of the Township of Piscataway, Middlesex County, finds it in the best interest of the public to amend Chapter VII, Traffic, Section 17.8, Schedule of Residential Permit Parking Areas, of the Revised General Ordinances of the Township of Piscataway regarding the addition of parking restrictions for Hicks Street; and

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter VII, Traffic, Section 17.8, Schedule of Residential Permit Parking Areas, of the Revised General Ordinances of the Township of Piscataway are hereby amended with additions shown in italics and deletions shown in brackets with text as follows:

**CHAPTER VII
TRAFFIC**

7-17.8 SCHEDULE OF RESIDENTIAL PERMIT PARKING AREAS.

* * *

All Hours, [Monday through Friday] *Certain Days*. In accordance with the provisions of this section, parking by permit only in designated residential areas is effective on the following described streets or portions thereof 24 hours a day [Monday through Friday] *on Certain Days*.

Name of Street	Direction	Days	Location
Bayberry Place	Both	<i>Monday through Friday</i>	Entire length
Golf Links Avenue	Both	<i>Monday through Friday</i>	From River Road to its northerly terminus
<i>Hicks Street</i>	<i>Both & Dead End</i>	<i>All Days</i>	<i>Entire length, including the dead end</i>
Redbud Road	Both	<i>Monday through Friday</i>	Entire length, including University Heights Park Parking Area with the exception of those whom are utilizing the park during park hours
Stafford Drive	Both	<i>Monday through Friday</i>	Entire length

* * *

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

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

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

Mrs. Cahill opened the Meeting to the Public for Comments: **ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER VII (7), TRAFFIC, SECTION 17.8, SCHEDULE OF RESIDENTIAL PERMIT PARKING AREAS**

RESOLUTION offered by Mr. Bullard, seconded by Mrs. Lombardi: **BE IT RESOLVED**, By the Township Council of Piscataway Township, New Jersey that: **ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER VII (7), TRAFFIC, SECTION 17.8, SCHEDULE OF RESIDENTIAL PERMIT PARKING AREAS** was introduced on the 13th day of October, 2020 and had passed the first reading and was published on the 16th day of October, 2020.

NOW, THEREFORE, **BE IT RESOLVED**, that the aforesaid Ordinance, having had a second reading on November 5, 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. 2020-28.
On roll call vote: Messrs. Bullard, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

The Clerk read for **FIRST READING** the following **ORDINANCE**: **ORDINANCE APPROPRIATING \$1,625,000 FROM THE SEWER UTILITY BUDGET CAPITAL OUTLAY, FOR VARIOUS SEWER UTILITY IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.**

RESOLUTION offered by Mr. Shah, seconded by Mr. Bullard, **BE IT RESOLVED**, by the Township Council of Piscataway Township, New Jersey that: **ORDINANCE APPROPRIATING \$1,625,000 FROM THE SEWER UTILITY BUDGET CAPITAL OUTLAY, FOR VARIOUS SEWER UTILITY IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, 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 24th day of November, 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, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

RESOLUTION #20-313

RESOLUTION offered by Mrs. McCullum, seconded by Mrs. 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 November 5, 2020 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Chapter 159 – Governor’s Council on Alcoholism Thru the County of Middlesex - \$2,307.80.
- b. RESOLUTION – Authorizing Change in Title or Text for Budget Appropriation.
- c. RESOLUTION – Authorizing Return of Engineering & Inspection Fees:
 - CMC Construction Group LLC – Block 8405, Lot 15 – 12 Water Street.
 - AvalonBay Communities Inc. – Block 2101, Lot 11.06 – Old New Brunswick Road & Stelton Road (7000 Avalon Way)
 - New Market Holding LLC – Block 1016, Lot 2 – 600 Prospect Avenue.
 - Windels Marx Lane & Mittendorf LLP – Block 11701, Lot 16.05 – 909 River Road 13-ZB-27/28V.
 - Windels Marx Lane & Mittendorf LLP – Block 11701, Lot 16.05 – 909 River Road 13-ZB-27/28V & 15-ZB-32.
- d. RESOLUTION – Establishing Emergency Remote Meeting Protocols for Local Public Bodies.
- e. RESOLUTION – Authorizing Contract Renewal – Fort Dearborn Life Insurance Company – Police Group Life Insurance – not to exceed \$25,000.00.
- f. RESOLUTION – Authorizing Professional Architectural and Engineering Design Services for Exterior Renovations and Site Improvements to the Maple Ave. DPW Building – Netta Architects – Not to Exceed \$137,500.00.
- g. RESOLUTION – Authorizing Change Order No. 1 & 2– 2020-2021 Sidewalk Repair Program – MSky Construction Corporation – Not to Exceed \$20,000.00 & \$80,000.00.
- h. RESOLUTION – Authorizing Cancellation of Taxes – 100% Disabled Veteran – Block 8001, Lot 4.01 and Block 108, Lot 91.01.
- i. RESOLUTION – Authorizing Municipal Lien for Public Nuisance:
 - Block 11204, Lot 3 – 380 Park Avenue.
 - Block 11302, Lot 4 – 595 Highland Avenue.
- j. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – Block 108, Lot 91.01.
- k. RESOLUTION – Authorizing Contract Amendment for Sterling Village Renovations – Phase II – T & M Associates – Not to Exceed \$8,500.00.
- l. RESOLUTION – Authorizing Acceptance of Project and Release of Retainage – 2019 Haywood Avenue & Wynnwood Avenue Road Improvements – JADS Construction Co.
- m. RESOLUTION – Authorization to File Prerogative Writ Complaint – 151 Sherman Avenue.
- n. RESOLUTION – Authorizing Memorandum of Agreement with PBA Local 93.

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 November 5, 2020 Regular meeting and adopted by separate vote. The following are the Resolutions, typed in full, which were adopted by the foregoing consent agenda resolution:

RESOLUTION #20-314

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 **\$2,307.80** from the **Governor’s Council on Alcoholism Thru’ the County of Middlesex** 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**:

Amount Received for
Alcoholism & Drug Abuse Prevention Education **\$2,307.80**

BE IT FURTHER RESOLVED that the like sum of \$2,307.80 is hereby appropriated under the caption of:

Appropriation for
Alcoholism & Drug Abuse Prevention Education **\$2,307.80**

BE IT FURTHER RESOLVED that the sum of \$2,307.80 representing the amount required for the municipality’s share (Matching Fund) of said undertaking and the appropriation of the last named sum be added to and be supplementary to the appropriation provided above.

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 #20-315

WHEREAS, N.J.S. 40A:4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such county or municipality; and

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S. 40A:4-85, the Township Council of the Township of Piscataway, in the County of Middlesex, State of New Jersey, hereby requests the Director of the Division of Local Government Services to make the following corrections in the budget year CY 2020:

That the appropriation provided for in the approved budget entitled:

Operations Excluded from CAPS:

State and Federal Programs, Matching Funds for Grant be reduced by the sum of \$2,307.80

and an appropriation in the like amount of \$2,307.80 be added to the budget entitled: Operations Excluded from CAPS:

State and Federal Programs, Municipal Alliance Grant FY2020 – Match

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute above referred to, and is necessary for the orderly operation of the Township of Piscataway for the reasons hereinafter set forth:

The Township provided for the possibility of receiving an added grant after adoption of the CY 2020 budget by providing a line item “Matching Funds for Grant.” The amount of grant and the related match requirement now becoming known after passage of the budget. In order to accept the Municipal Alliance Grant, legal provision for the required match must be made. The above correction will provide for the said legal provision.

BE IT FURTHER RESOLVED that the Township Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

RESOLUTION #20-316

WHEREAS, the Administration has recommended the renewal of a professional services contract for the Employee Assistance Program for the Township with RUTGERS BIOMEDICAL AND HEALTH SCIENCES - UNIVERSITY BEHAVIORAL HEALTH CARE ("RUTGERS"); and

WHEREAS, RUTGERS has agreed to perform such professional services for the period of January 1, 2021 to December 31, 2021, in an amount not to exceed \$9,120.72 pursuant to a contract proposal, a copy of which is attached hereto and made a part hereof; and

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

WHEREAS, RUTGERS has submitted proof that it is not subject to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, funds are available pursuant to certification # R-2020-0105;

WHEREAS, the New Jersey Local Public Contracts Law, specifically, N.J.S.A. 40A:11-1 et seq., requires that a resolution authorizing the award of a contract for professional and/or extraordinary unspecifiable services without competitive bids must be publicly advertised, the within contract being one for generally recognized professional and/or extraordinary unspecifiable services, as defined by statute; and

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

1. The Mayor and other appropriate officials be and the same are hereby authorized to enter into an agreement for services related to the Employee Assistance Program for the period from January 1, 2021 to December 31, 2021, with RUTGERS BIOMEDICAL AND HEALTH SCIENCES - UNIVERSITY BEHAVIORAL HEALTH CARE in a sum not to exceed \$9,120.72; and
2. This contract is being awarded without competitive bids as a professional service under the provisions of the Local Public Contracts Law, more specifically addressed in the body of this Resolution; and
3. The final form of said contract for these services shall be subject to the review and approval of the Township Director of Law; and
4. Notice of this Resolution shall be published as required by law.

RESOLUTION #20-317

WHEREAS, the purpose of N.J.A.C. 5:39-1 et seq, Emergency Remote Meeting Protocol for Local Public Bodies, is to ensure that local public bodies can continue to conduct official business in an open and transparent manner whenever a declared emergency exists that prohibits physical attendance by members of the public; and

WHEREAS, a “Declared Emergency” means a public health emergency pursuant to the Health Powers Act (N.J.S.A. 26:13-1 et seq.), or a state of emergency, pursuant to P.L. 1942, c. 251 or both, or a state of local disaster emergency which has been declared by the Governor and is in effect; and

WHEREAS, N.J.A.C. 5:39-1.3 permits a local public body to hold a remote public meeting to conduct public business during a declared emergency if the emergency reasonably prevents a local public body from safely conducting public business at a physical location with members of the public present; and

WHEREAS, if during a declared emergency the Township of Piscataway (the “Township”) holds a physical meeting in a location where, pursuant to State/Federal guidelines meant to mitigate risk, capacity restrictions are required to reduce the number of individuals that can be present in a meeting, the Township Council shall either:

Hold the public meeting at another location with adequate capacity for the reasonable expected attendance by the public; or Hold the public meeting as both an in-person and a remote public meeting; and

WHEREAS, no in person meeting shall proceed if the room capacity does not permit any member of the public to attend; and

WHEREAS, a public meeting held in person shall not prohibit members of the public from attending in person; and

WHEREAS, pursuant to N.J.A.C. 5:39-1, if the Township holds a remote meeting to conduct public business they shall use electronic communication technology routinely used in business settings that can be accessed by the public at no cost and with participant capacity consistent with the reasonable expectations of the public body for the type of public meeting being held and shall, at minimum, not be limited to fewer than 50 public participants (beyond those persons required to conduct business at the meeting); and

WHEREAS, remote public meetings may be held by the Township in a format as selected by the governing body, by means including but not limited to, audio-only teleconferencing, electronic communications platforms with video and audio or live streaming via the internet

and shall, additionally, provide a telephonic conference line to allow members of the public to dial in by telephone to listen and to provide public comment; and

WHEREAS, when the Township holds a remote public meeting they shall allow members of the public to make public comment by audio or by audio and video if the meeting is being held over both; and

WHEREAS, any remote public meeting where sworn testimony is being taken shall be broadcast by video as well as audio and all individuals giving sworn testimony shall appear by video in addition to audio; and

WHEREAS, any presentation or documents that would otherwise be viewed or made available to members of the public physically attending a local public meeting shall be made visible on a video broadcast of the remote public meeting or made available on the internet website of the Township; and

WHEREAS, in addition to making public comments at any remote public meeting, the Township Council, in advance of the remote meeting shall allow public comments to be submitted to the Clerk by electronic mail and in written letter form by a reasonable deadline as shall be established and posted on the website in advance of the remote public meeting; and

WHEREAS, public comments submitted prior to the remote public meeting through electronic or regular mail shall be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public; and

WHEREAS, a reasonable time limit shall be placed on the reading of written comments, which shall be read from their beginning until the time limit is reached; and

WHEREAS, the electronic communications used for a remote public meeting shall have a function that allows the Township to mute the audio of all members of the public as well as allow members of the public to mute themselves and same shall be announced at the beginning of every remote public session; and

WHEREAS, adequate notice of the remote public meeting shall also include, in addition to the OPMA requirements of N.J.S.A. 10: 4-8, clear and concise instructions for accessing the remote public meeting, the means for making public comment and how to access any public documents on their internet website in the manner as set forth at N.J.A.C. 5:39-1.5; and

WHEREAS, at the commencement of a remote public meeting the Mayor or his designee, or in their absence the Council President, shall announce publicly and shall cause to be entered into the minutes an accurate statement regarding adequate and electronic notice or an explanation of the reason or reasons it was not adequately provided as set forth in N.J.A.C. 5:39-1.5(g); and

WHEREAS, prior to the commencement of a remote public meeting the Township Council shall make a copy of the agenda available to the public for download on the website and shall post same at the building where the meeting would otherwise be held, including posting of same at any designated and clearly delineated handicap access entrance to the building; and

WHEREAS, in support of and respect for an open, fair and informed decision-making process, the Township Council recognizes that civil, respectful and courteous discourse and behavior are conducive to the democratic and harmonious airing of concerns and decision making; and

WHEREAS, in an effort to preserve the intent of open government and maintain a positive environment for citizen input and Township Council decision making, it has been decided that policies and rules should be established to promote civility and maintain decorum at local public meetings and remote public meetings in accordance with N.J.A.C. 5:39-1.4 (f)-(h); and

WHEREAS, if a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the Mayor or his designee, or in their absence the Council President, shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking during the remote public meeting or removed from the remote public meeting; and

WHEREAS, disruptive conduct at a public or remote public meeting includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity; and

WHEREAS, any member of the public who continues to act in a disruptive manner at a remote public meeting after receiving an initial warning, may be muted while other members of the public are allowed to proceed with their questions or comments; and

WHEREAS, if time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make comment and, if the person still remains disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting; and

WHEREAS, the content of the electronic notice shall be posted on the main access door of the building where the public would routinely attend public meetings of the local public body in person and the notice must be viewable from the outside; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the standards and procedures for emergency remote meeting protocol as set forth in this resolution and as codified in N.J.A.C. 5:39-1 et seq. are hereby established and adopted; and

BE IT FURTHER RESOLVED that procedures and requirements for public participation are hereby established and adopted in order to safeguard public participation in any public or remote public meetings in the Township of Piscataway and shall apply to all members of the public in attendance at any public or remote public meeting in the Township of Piscataway.

RESOLUTION #20-318

WHEREAS, the Administration has advised of the need to renew the contract for group Police Life Insurance as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, FORT DEARBORN LIFE INSURANCE COMPANY, of Downers Grove, IL, has submitted a proposal dated September 28, 2020, indicating that it will provide the group Police Life Insurance at the rate of \$0.19 per \$1,000.00; and

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

WHEREAS, FORT DEARBORN LIFE INSURANCE COMPANY has previously completed and submitted a Business Entity Disclosure Certification which certifies that FORT DEARBORN LIFE INSURANCE COMPANY has not made any reportable contributions to a political or candidate committee in the Township of Piscataway in the previous one year, and that the contract will prohibit FORT DEARBORN LIFE INSURANCE COMPANY from making any reportable contributions through the term of the contract; and

WHEREAS, funding is available pursuant to certification # R-2020-0107;

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

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

1. The Mayor and other appropriate officials be and the same are hereby authorized to enter into an agreement to renew the contract for group Police Life Insurance coverage with FORT DEARBORN LIFE INSURANCE COMPANY through January 1, 2022, at the rates specified above for a total amount not to exceed \$25,000.00; and

2. This contract is being awarded without competitive bids as a contract for the provision of insurance under the provisions of the Local Public Contracts Law, more specifically addressed in the body of this resolution; and

3. The final form of contract for these services shall be subject to the review and approval of the Township Attorney; and

4. Notice of this Resolution shall be published as required by law.

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

RESOLUTION #20-319

WHEREAS, the Township of Piscataway requires Professional Design Services in regard to the Exterior Renovations and Site Improvements to the Maple Ave DPW Building (the "Project"); and

WHEREAS, Netta Architects, Mountainside, NJ, has submitted a proposal dated September 18, 2020, for Professional Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$137,500.00; and

WHEREAS, Netta Architects was previously qualified under the Fair and Open Process to provide professional services for Professional Architectural Services – Special Projects by the Township of Piscataway for 2020; and

WHEREAS, there is funding available pursuant to certification # R-2020-0102;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Netta Architects, Mountainside, NJ, to provide Professional Design Services in regard to the Exterior Renovations and Site Improvements to the Maple Ave DPW Building, at the rates set forth in said Proposal, with such services not to exceed \$137,500.00 in cost.

RESOLUTION #20-320

WHEREAS, MSKY Construction Corporation, Lake Hopatcong, NJ was awarded a contract for the Sidewalk Repair Program to include Curb, Driveways and Handicap Ramps (the "Project"), in an amount not to exceed \$534,172.00; 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 MSKY Construction Corporation, Lake Hopatcong, NJ to the Township for the Project; and

WHEREAS, the Township wishes to approve Change Orders No. 1 and No. 2 in the additional amounts of \$20,000.00 and \$80,000.00, for a total an additional \$100,000.00 increase in the total amount of the Project for a final total not to exceed \$634,172.00, for a total increase of 18.72% from the initial 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 forms No. 1 and No. 2, dated October 13, 2020 and October 16, 2020, respectively, the Township Director of Public Works recommends approving the Change Order Requests No. 1 and No. 2; and

WHEREAS, there is funding available pursuant to certification # B-2020-017-01 & 02;

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 MSKY Construction Corporation, Lake Hopatcong, NJ from \$534,172.00 to a final total not to exceed \$634,172.00 and execute the enclosed Contract Change Orders No. 1 and No. 2 in the amounts of \$20,000.00 and \$80,000.00, respectively, subject to all bid specifications and contract document

RESOLUTION #20-321

WHEREAS, the Tax Collector is requesting authorization to cancel taxes as listed below

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
			LARRY R. YOUNG			100% Disabled
108	91.01		III	2020	1,161.75	Veteran
			LARRY R. YOUNG			100% Disabled
108	91.01		III	2021	3,303.09	Veteran
						100% Disabled
8001	4.01		Willie H. Lewis	2021	3402.16	Veteran

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

RESOLUTION #20-322

WHEREAS, the Township Council of the Township of Piscataway has been advised that the Township has incurred costs associated with abatement of a public nuisance on certain properties as follow:

Address	Block	Lot	Owner	Cost
380 Park Ave	11204	3	Da Silva, Wilhan Lopes	\$62.50
595 Highland Ave	11302	4	Anderson, Reatha	\$181.90
Total				\$244.40

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that municipal officials be and are hereby authorized to take the necessary steps to impose municipal liens, as indicated above, for the costs of remedial action to abate a public nuisance.

RESOLUTION #20-323

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

BLOCK	LOT	NAME	YEAR	AMOUNT	REASON
		URBAN RENEWAL			
108	91.01	LLC	2020	\$230,969.67	Refund of Overpayment due to Judgement Docket NO. 010490-2020
Total				\$230,969.67	

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 #20-324

WHEREAS, the Township of Piscataway requires Professional Services in regard to the Sterling Village Renovations – Phase II Project (the "Project"); and

WHEREAS, additional work is required for the Project that was not included in the original scope of work outlined by the Township of Piscataway and not anticipated in the proposal from T&M Associates to the Township for said Project; and

WHEREAS, N.J.A.C. 5:30-11.6 authorizes the Township to approve change orders for professional services for a project; and

WHEREAS, the Township Supervisor of Engineering has reviewed the proposal for additional services dated October 22, 2020, in the amount of \$8,500.00 and recommends approval of same; and

WHEREAS, there is funding available pursuant to certification # R-2020-0071-01;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount with T&M Associates from \$219,500.00 to \$228,000.00, an increase of not to exceed \$8,500.00, due to unanticipated work required in regard to the Sterling Village Renovations – Phase II Project, subject to all bid specifications and contract documents.

RESOLUTION #20-325

WHEREAS, JADS Construction Co., South River, NJ ("JADS") was previously awarded a contract for the 2019 Haywood Avenue & Wynnwood Avenue Road Improvements Project (the "Project"), in the amount of \$1,234,567.00; and

WHEREAS, there was a previous change order in the amount of \$11,740.00 in regard to this Project, a 0.95% increase, for a new contract amount of \$1,246,307.00; and

WHEREAS, certain filed adjustments and minor quantities changes to the Project resulted in a decrease in the total cost of the Project from \$1,246,307.00 to \$1,113,808.49, a decrease in the amount of \$132,498.51, or 11.89% of the total contract amount; and

WHEREAS, pursuant to a memorandum dated October 21, 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 \$22,276.17, be released to JADS, upon JADS posting a two (2) year maintenance bond in the amount of \$111,380.85; 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 decreased amount of \$132,498.51, amending the contact from \$1,246,307.00 to \$1,113,808.49; 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 2019 Haywood Avenue & Wynnwood Avenue Road Improvements Project to JADS Construction Co., South River, NJ, in the amount of \$22,276.17, upon JADS posting a two (2) year maintenance bond in the amount of \$111,380.85.

RESOLUTION #20-326

WHEREAS, the owners of the property commonly known as 151 Sherman Avenue, designated as Lot 30.01 in Block 1217 on the Piscataway Township Tax Map filed an application to develop their undersized 50 foot by 100 foot lot as a single family dwelling requiring lot area, lot width, front yard setback, rear yard setback, maximum building coverage and lot frontage variances; and

WHEREAS, said owners appeared at a Piscataway Township Zoning Board public hearing on August 13, 2020 but did not present any testimony from a licensed professional planner to justify the variances; and

WHEREAS, said owners did not send notices to their adjacent property owners offering to sell their lot at its fair market value or attempt to purchase land from their adjacent property owners as required by New Jersey Court case law; and

WHEREAS, the Piscataway Township Zoning Board approved the application notwithstanding the absence of proofs to justify the variances and without the giving of the aforesaid notices to adjacent property owners.

NOW, THEREFORE, be it resolved by the Township Council of the Township of Piscataway that the Assistant Township Attorney is hereby authorized to file a prerogative writ lawsuit in the Superior Court of New Jersey to reverse the granting of these variances and require said owners to file a new, more conforming application to the Zoning Board.

RESOLUTION #20-327

WHEREAS, the Township of Piscataway (the "Township") wishes to enter into a Memorandum of Agreement ("MOA") with PBA Local 93, (the "PBA"), as a successor contract to the collective bargaining agreement that expires on December 31, 2019, for the period from January 1, 2020 through December 31, 2024; and

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

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

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Mrs. Lombardi congratulated Mayor and Council at Large

Mrs. McCullum thanks Mrs. Lombardi and congratulated Mayor and rest of Council at Large

Mr. Shah echoed above comments and thanks first responders for finding missing person last week.

Mrs. Cahill echoed above comments as well and spoke on Piscataway and positive outlook for future.

The Council considered the matters on the Agenda session:

- ORDINANCE – FIRST READING – Acceptance of Traffic Signal at River Road and Ridge Road – RESOLUTION Adopting Ordinance.
- ORDINANCE – FIRST READING – Fully Funded – Equipment and Vehicles – RESOLUTION Adopting Ordinance.
- RESOLUTION – Authorizing Award of Bid – 2021-2022 Janitorial Services – Pure Productive Services – Not to Exceed \$86,092.00.

- RESOLUTION – Authorizing Return of Maintenance Bond: AT&T – Block 4601, Lot 12 – 275 Old New Brunswick Road.
- RESOLUTION – Authorizing Chapter 159 – US Department of Justice, Patrick Leahy Bulletproof Vest Partnership 2020 - \$9,316.12.
- RESOLUTION – Chapter 159 – Alcoholism & Drug Abuse Prevention Education - \$14,384.00.
- RESOLUTION – Authorizing Change in Title or Text for Budget Appropriation.
- RESOLUTION – Authorizing Return of Maintenance Bond: Chester Cruz, CMC Construction Group LLC – Block 8405, Lot 14 – 12 Water Street.
- RESOLUTION – Authorizing Return of Street Opening Bond: Block 1515, Lot 1.01 – 123 Summers Avenue.
- RESOLUTION – Authorizing Award of Bid – HVAC Maintenance Services – Unitemp, Inc. – Not to Exceed \$125,500.00.
- RESOLUTION – Authorizing Change Order #1 – Public Safety Building Mechanical & Electrical Systems Renovation – EACM Corp. – Not to Exceed \$53,595.00.
- RESOLUTION – Renewal of Contract for Prescription, Health and Dental Insurance – Horizon Blue Cross Blue Shield of New Jersey – January 1, 2020 to December 31, 2020 – per Rate Schedule.
- RESOLUTION – Authorizing Award of Contract – 2020 Bird Netting Installation – Bell Environmental Services – Not to Exceed \$35,320.00.
- RESOLUTION – Authorizing Participation in the Woodbridge Cooperative Pricing System.
- RESOLUTION – Authorizing Budget Transfers.
- RESOLUTION – Authorizing the Township to Apply for and Accept CY2021 \$10,000.00 Grant for Prevention/Diversion Program – Municipal Alliance.
- RESOLUTION – Authorizing Return of Sterling Village Security Deposit - Frances Cernuto – Apt. 553
- RESOLUTION – Authorizing Chapter 159 – CARES Act (#2) - \$157,362.06.

Mrs. Cahill asked for clarification on bird netting. Mayor Wahler responded.

OPEN TO PUBLIC:

Matthew Knoblauch, 132 8th St, spoke on 1690 S Washington Ave development.

Mayor and Mr. Dacey spoke on the Energy Aggregation program in response to an article that was written last week.

There being no further business to come before the council, the meeting was adjourned at 8:10pm on motion of Mrs. Lombardi, seconded by Mr. Shah, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

Gabrielle Cahill
Council President