

October 12, 2021

A Regular Meeting of the Piscataway Township Council was held on October 12, 2021 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by Council Vice President, Michele Lombardi, at 7:30 pm.

Council Vice President Lombardi 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 or dial in information, 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, Municipal Website, 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.

The Township continues to use the telephone meeting format in an effort to mitigate the chance of exposure to COVID-19, as a part of the Township's ongoing effort to slow the rate of transmission and avoid overwhelming our treatment centers.

In order to make sure a clear record of the meeting can be made and that all parties are heard in an organized fashion, all members of the public will be muted during the meeting. If a member of the public wishes to speak during any public comment portion, please press *9 (star nine) in order to raise your hand to speak. We will unmute members of the public individually if they have their hand raised. When it is your turn to speak, you will hear a notification that you have been unmuted. It is at that time that you should begin to ask any questions you may have. You will have three minutes to speak, at the conclusion of which you will be muted again, and the council or administration will respond as necessary. Should you have any further comments or questions, the Township Council is always available by email and phone, and you can always call the Mayor's office during normal operating hours. Each member of the public shall only have one opportunity to speak during each public portion. As the technology does not allow us to know if there are multiple callers on an individual line, we ask that if you wish to speak, that you dial in on a separate line so that we can recognize you as a separate individual.

Individuals may also submit written comments to the Township Clerk up to forty-eight (48) hours prior to the meeting, to be read by the Township Clerk during the Public Comment Portion of the meeting. Said comments shall be limited to three minutes of reading.

Thank you in advance for your patience as we continue to move the Township forward during this Health Emergency.

On roll call, there were present: Messrs. Bullard, Cahill, Cahn, Rouse, Uhrin, Shah, and Lombardi.

There were no comments from Administration and Council on the Adjournment of any Agenda items.

Mrs. Lombardi opened the meeting to the Public for comments regarding the Consent Agenda Items.

Brian Rak, 1247 Brookside Rd, asked for clarification on item BB.

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

The Clerk read for FIRST 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 14, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREET.

RESOLUTION offered by Mrs. Cahill seconded by Mr. Bullard, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: 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 14, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS 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 4th day of November, 2021.

BE IT FURTHER RESOLVED that a copy of this Ordinance shall be posted in at least two public places within the Township prior to the day of the second reading and final passage, and a copy of this Ordinance shall be made available at the Office of the Township Clerk for any interested member of the public.

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

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE FOR THE ACQUISITION OF RIGHTS OF WAY, EASEMENTS AND LAND IN FEE SIMPLE FOR THE IMPROVEMENT OF CEDARWOOD DRIVE, LESLIE AVENUE, THIRD AVENUE AND ELEVENTH STREET IN PISCATAWAY TOWNSHIP, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

RESOLUTION offered by Mr. Bullard seconded by Mr. Cahn, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: ORDINANCE FOR THE ACQUISITION OF RIGHTS OF WAY, EASEMENTS AND LAND IN FEE SIMPLE FOR THE IMPROVEMENT OF CEDARWOOD DRIVE, LESLIE AVENUE, THIRD AVENUE AND ELEVENTH STREET 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 4th day of November, 2021.

BE IT FURTHER RESOLVED that a copy of this Ordinance shall be posted in at least two public places within the Township prior to the day of the second reading and final passage, and a copy of this Ordinance shall be made available at the Office of the Township Clerk for any interested member of the public.

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

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE FOR THE AMENDMENT OF A PERMANENT EASEMENT FOR MUNICIPAL PURPOSES BETWEEN UNION CARBIDE CORPORATION AND THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

RESOLUTION offered by Mr. Bullard seconded by Mr. Cahn, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: ORDINANCE FOR THE AMENDMENT OF A PERMANENT EASEMENT FOR MUNICIPAL PURPOSES BETWEEN UNION CARBIDE CORPORATION AND 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 4th day of November, 2021.

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, Rouse, Uhrin, Shah, and Lombardi answered yes. No vote from Mrs. Cahill

RESOLUTION #21-338

RESOLUTION offered by Mr. Bullard, seconded by Mr. Cahn:

WHEREAS, the Revised General Ordinances of the Township of Piscataway permit the adoption of Resolutions, Motions or Proclamations by the Township Council of the Township of Piscataway as part of the Consent Agenda, upon certain conditions; and **WHEREAS**, each of the following Resolutions, Motions or Proclamations to be presented before the Township Council at its October 12, 2021 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Release of Funds – Claim of Found Money.
- b. RESOLUTION – Authorizing Award of Bid – 2022-2023 Screen Printing, Embroidered Clothing, Promotional Products, Commercial Printing and Signage – Metuchen Center, Inc. and Concept Printing Company.

- c. RESOLUTION – Authorizing Award of Bid – Recreation Uniforms, Equipment and Supplies for 2022 – Metuchen Center Inc. – Not to Exceed \$89,561.73.
- d. RESOLUTION – Authorizing Change Order #1 – Cedarwood Drive Sanitary Sewer Replacement – MSP Construction Corp. – Not to Exceed \$41,600.00.
- e. RESOLUTION – Authorizing Return of Escrow Fees:
 - Windels Marx Lane & Mittendorf – Block 7401, Lot 2.01 – 13-PB-31
 - Ericsson Inc. – Block 7401, Lot 2.03 – 16-PB-18
- f. RESOLUTION – Authorizing Return of Soil Erosion/Sediment Control Bond:
 - Jayadit Builders, LLC – Block 2105, Lot 21.01
- g. RESOLUTION – Authorizing Return of Cash Bonds:
 - Jayadit Builders, LLC – Block 2105, Lot 21.01
 - Tunison Home Improvements – Block 2102, Lot 14.01
- h. RESOLUTION – Authorizing Return of Street Opening Bond:
 - Mark Odom – Block 2009, Lot 5
- i. RESOLUTION – Authorizing Cancellation of Taxes – 100% Disabled Veteran Status – Block 1935, Lot 10.01.
- j. RESOLUTION – Authorizing Change Order #1 – Preparation for DPW Resurfacing Various Streets – Stilo Excavating, Inc. – Not to Exceed \$23,224.42.
- k. RESOLUTION – Determining Form and Details of \$15,000,000 General Improvement Bonds and Providing for their Sale.
- l. RESOLUTION – Providing for Combination of General Improvement Bonds into a Single Issue of Bonds.
- m. RESOLUTION – Authorizing Return of Engineering and Inspection Fees:
 - Valencia Piscataway, LLC – Block 2101, Lot 11.02 – 17-PB-01/13V
 - Elizabeth Kozlowski – Block 3903, Lot 60.01 – 03-PB-01/02V
- n. RESOLUTION – Emergency Purchase – DPW – Ambrose Brook Trunkline Cofferdam – T. R. Weniger – Not to Exceed \$19,800.00.
- o. RESOLUTION – Authorizing Award of Contract Through Somerset County COOP #CC-0036-19 - Low Sulphur Diesel Supply – National Fuel, Inc. – Not to Exceed \$15,000.00.
- p. RESOLUTION – Authorizing Award of Contract Through Somerset County COOP #CC-0045-20 – Gasoline Supply 87 Octane – National Fuel, Inc. – Not to Exceed \$150,000.00.
- q. RESOLUTION – Authorizing Purchase of 2022 Ford F450 Mason Dump Truck & Chassis w/ Crew Cab, Plow, & Spreader Through State of NJ COOP #A88728, T2776 – Winner Ford – Not to Exceed \$79,867.00.
- r. RESOLUTION – Authorizing Professional Services for Preparation of Area In Need of Redevelopment Study and Plan for Block 1701 Lot 2.03 – 4Site Planning, LLC – Not to Exceed \$13,000.00.
- s. RESOLUTION – Authorizing Tax Appeal Settlements:
 - South Washington Park. LLC – Block 5701, Lot 1.05 – 30 Knox Drive
 - South Washington Park. LLC – Block 5701, Lot 1.04 – 10 Knox Drive
- t. RESOLUTION – Authorizing Refund of Payment Error – Evily Distribution - \$290.00.
- u. RESOLUTION – Authorizing Emergency Purchase Due to Hurricane Ida – Residential Curbside Pickup of Flood Debris – Frank Galbraith & Son Excavation and Demolition, LLC – Not to Exceed \$90,880.00.
- v. RESOLUTION – Authorizing Award of Re-Bid Snow Shoveling Services – VIP Special Service, LLC – Not to Exceed \$140,000.00
- w. RESOLUTION – Authorizing Award of Re-Bid Snow Plowing Services – Frank Galbraith & Son Excavating & Demolition – Not to Exceed \$300,000.00.
- x. RESOLUTION – Authorizing Contract Amendment No. 1 – Ethel Road Improvements – Grotto Engineering Associates, LLC – Not to Exceed \$16,600.00.
- y. RESOLUTION – Authorizing Contract Amendment No. 3 – Justice Street Improvements – Grotto Engineering Associates, LLC – Not to Exceed \$15,450.00.
- z. RESOLUTION – Authorizing Sidewalk Improvement Special Assessments – Revised Costs.
- aa. RESOLUTION – Acceptance of Calendar Year Ended December 31, 2020 Audit Report.
- bb. RESOLUTION – Authorizing Filming Agreement.

- cc. RESOLUTION – Authorizing Award of Contract Under State Contract for One (1) 2022 Ford F-250 Utility Body Truck w/Liftgate – Winner Ford – Not to Exceed \$47,756.00.
- dd. RESOLUTION – 2021 Peddlers License – Daylton P. Amaral.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that each of the above-listed Resolutions, Motions or Proclamations be approved and adopted by the Township Council, with the same legal effect as through each was read in its entirety at the October 12, 2021 Regular meeting and adopted by separate vote.

On roll call vote: Messrs. Bullard, Cahill, Cahn, Rouse, Uhrin, Shah, and Lombardi answered yes. The following are the Resolutions, typed in full, which were adopted by the foregoing consent agenda resolution:

RESOLUTION 21-339

WHEREAS, On February 16, 2021, Raul Martinez, an employee at the Wawa located at 555 New Durham Road found \$6,000.00 in cash in the vestibule of the store; and

WHEREAS, the money was kept in the store safe in order to facilitate its return, should the owner come to the location looking to retrieve same; and

WHEREAS, on March 2, 2021 this agency responded to the Wawa and took custody of the cash as found property and, as per Police Department policy, the cash was deposited into Township accounts for safe keeping; and

WHEREAS, pursuant to correspondence from the Chief of Police dated September 20, 2021, the Chief of Police authorizes release of the funds as no one has claimed the cash, the required six (6) month retention period has been exceeded and there is no company policy that would forbid Mr. Martinez from claiming the cash; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, County of Middlesex and State of New Jersey, that appropriate municipal officials be and are hereby authorize to release the funds, in the amount of \$6,000.00, to Raul Martinez.

RESOLUTION 21-340

WHEREAS, on September 9, 2021, the Township of Piscataway received two (2) qualifying bids for Screen Printing Embroidered Clothing, Promotional Products, Commercial Printing and Signage (the “Printing”); and

WHEREAS, each bidder was the lowest qualifying bidder for various individual items requested in the bid request; and

WHEREAS, pursuant to N.J.S.A. 5:30-11.2, the Township may award an Open-end contract where exact quantities needed were not known at the time bids were sought; and

WHEREAS, the township Director of Recreation has reviewed the bids and pursuant to Recommendation of Awards dated September 15, 2021, the Director of Recreation recommends awarding contracts to both Concept Printing, Inc., Nyack, NY, and Metuchen Center Inc., Sayreville, NJ, at the unit prices in the bid responses and as specified in the 2022-2023 Screen Printing Embroidered Clothing, Promotional Products, Commercial Printing and Signage Purchasing Guide (“Purchasing Guide”), attached hereto and made a part hereof; and

WHEREAS, pursuant to N.J.S.A 5:30-11.10(a)(2), prior to each purchase of Printing, the Township shall ensure that funds are available for the purchase through either an encumbrance or certification of availability of funds; 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 award two (2) year Open-end contracts for Calendar Years 2022 and 2023 to Concept Printing, Inc., Nyack, NY, and Metuchen Center Inc., Sayreville, NJ for as-needed purchase of Screen Printing Embroidered Clothing, Promotional Products, Commercial Printing and Signage, at the unit prices specified in the bid responses and as designated in the Purchasing Guide, subject to all bid specifications and contract documents; and

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A 5:30-5.5(b), the Township Chief Financial Officer shall provide a certification of availability of funds to either the execution of each contract, or prior to placing each order for Screen Printed, Embroidered Clothing, Promotional Products, Commercial Printing and Signage.

RESOLUTION 21-341

WHEREAS, on September 9, 2021, the Township of Piscataway received bids for Recreation Uniforms, Equipment and Supplies for 2022; and

WHEREAS, the Township Director of Recreation reviewed the bids and recommended awarding a contract to Metuchen Center, Inc., Sayreville, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$89,561.73; and

WHEREAS, funds are available pursuant to certification # B-2021-025;

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 Recreation Uniforms, Equipment and Supplies for 2022 to Metuchen Center, Inc., Sayreville, NJ, for a total cost not to exceed \$89,561.73, subject to all bid specifications and contract documents.

RESOLUTION 21-342

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to MSP Construction Corp., Flemington, NJ for the Cedarwood Drive Sanitary Sewer Replacement Project (the "Project"), in the amount not to exceed \$387,970.00; 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 MSP Construction Corp. 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 \$41,600.00 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$429,570.00, a 10.72% 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 September 14, 2021, said Township Engineer recommends approving Change Order No. 1; and

WHEREAS, funds are available pursuant to certification # R-2021-0079-A;

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 Cedarwood Drive Sanitary Sewer Replacement Project from \$387,970.00 to a final total not to exceed \$429,570.00, and execute a Change Order in the amount of \$41,600.00, subject to all bid specifications and contract documents.

RESOLUTION 21-343

WHEREAS, on December 6, 2013, Windels Marx Lane & Mittendorf, LLP, New Brunswick, NJ posted an escrow check with the Township of Piscataway in the amount of \$2,500.00, regarding Block 7401, Lots 2.01 (444 Hoes Lane); and

WHEREAS, pursuant to a Request for Release of Funds dated September 15, 2021 and a Memorandum from the Township Supervisor of Planning dated September 14, 2021, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees, in the amount of \$758.88, to Windels Marx Lane & Mittendorf, LLP, New York, NY; and

WHEREAS, on January 27, 2017, Ericsson, Inc., Plano, TX posted an escrow check with the Township of Piscataway in the amount of \$2,500.00, regarding Block 7401, Lots 2.03 (1 Ericsson Drive); and

WHEREAS, pursuant to a Request for Release of Funds dated September 15, 2021 and a Memorandum from the Township Supervisor of Planning dated September 14, 2021, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees, in the amount of \$1,881.18, to Ericsson, Inc., Plano, TX; 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 Windels Marx Lane & Mittendorf, LLP, New York, NY, in the amount of \$758.88, regarding Block 7401, Lot 2.01 (444 Hoes Lane); and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Ericsson, Inc., Plano, TX, in the amount of \$1,881.18, regarding Block 7401, Lot 2.03 (1 Ericsson Drive).

RESOLUTION 21-344

WHEREAS, Jayadit Builders, LLC, Edison, NJ, requests the return of a Soil

Erosion/Sediment Control Bond in the amount of \$1,000.00, posted on March 25, 2021 with the Township of Piscataway (the "Township") for improvements for Block 2105, Lot 21.01 (1016 Maple Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated September 15, 2021 and a Memorandum from the Township Supervisor of Engineering dated September 15, 2021, copies of which are attached hereto and made a part hereof, the Supervisor of Engineering advised that the necessary improvements required and covered have been satisfactorily installed, and therefore recommended the return of said Soil Erosion/Sediment Control Bond to Jayadit Builders, LLC; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to return said Soil Erosion/Sediment Control Bond in the amount of \$1,000.00 to Jayadit Builders, LLC, Edison, NJ, regarding Block 2105, Lot 21.01 (1016 Maple Avenue).

RESOLUTION 21-345

WHEREAS, Jayadit Builders, LLC, Edison, NJ, requests the release of a Cash Bond in the original amount of \$3,168.00, posted with the Township of Piscataway on June 3, 2020, regarding improvements for Block 2105, Lot 21.01 (1016 Maple Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated September 20, 2021 and a letter from the Township Supervisor of Engineering dated September 20, 2021, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that no maintenance bond is required, all improvements required and covered have been satisfactorily installed, and recommends the release of the Cash Bond; and

WHEREAS, Tunison Home Improvements, Dunellen, NJ, requests the release of a Cash Bond in the original amount of \$4,404.00, posted with the Township of Piscataway on December 15, 2021, regarding improvements for Block 2102, Lot 14.01 (10 Emma Place); and

WHEREAS, pursuant to a Request for Release of Funds dated September 30, 2021 and a letter from the Township Supervisor of Engineering dated September 30, 2021, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that no maintenance bond is required, all improvements required and covered have been satisfactorily installed, and recommends the release of the Cash 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 Cash Bond in the amount of \$3,168.00, to Jayadit Builders, LLC, Edison, NJ, regarding Block 2105, Lot 21.01 (1016 Maple Avenue); and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release a Cash Bond in the amount of \$4,404.00, to Tunison Home Improvements, Dunellen, NJ, regarding Block 2102, Lot 14.01 (10 Emma Place).

RESOLUTION 21-346

WHEREAS, Mark Odom, Piscataway, NJ, requests the return of a Street Opening Bond in the amount of \$500.00, posted with the Township of Piscataway on September 4, 2020 regarding repairs and inspections for Block 2009, Lot 5 (48 Anita Drive); and

WHEREAS, pursuant to a Request for Release of Funds dated September 15, 2021 and a memorandum from the Supervisor of Engineering dated September 15, 2021, 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 Mark Odom, Piscataway, NJ, in the amount of \$500.00, regarding Block 2009, Lot 5 (48 Anita Drive).

RESOLUTION 21-347

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

BLOCK	LOT	NAME	YEAR	AMOUNT	REASON
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1935	10.01	STEPHEN LEROY EDENS	2021	\$2,401.07	100% Disabled Veteran
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THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to cancel the taxes and hereby authorized to adjust the records accordingly.

RESOLUTION 21-348

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Stilo Excavating, Inc., South Plainfield, NJ for the 2020-2021 Milling & Road Resurface Preparation for DPW Resurfacing of Various Streets (the "Project"), in the amount not to exceed \$155,972.00; 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 Stilo Excavating, 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 \$23,224.42 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$179,196.42, a 14.89% 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 Director of Public Works, dated September 17, 2021, said Director of Public Works recommends approving Change Order No. 1; and

WHEREAS, funds are available pursuant to certification # B-2020-019-A;

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 2020-2021 Milling & Road Resurface Preparation for DPW Resurfacing of Various Streets, from \$155,972.00, to a final total not to exceed \$179,196.42 and execute a Change Order in the amount of \$23,224.42, subject to all bid specifications and contract documents.

RESOLUTION 21-349

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AS FOLLOWS:

Section 1. The \$15,000,000 General Improvement Bonds (the "*Bonds*") of the Township of Piscataway, in the County of Middlesex, New Jersey (the "*Township*"), referred to and described in a resolution of the Township duly adopted on October 12, 2021, and entitled, "Resolution Providing for Certain Issues of General Improvement Bonds of the Township of Piscataway, in the County of Middlesex, New Jersey, into a Single Issue of Bonds Aggregating \$15,000,000 in Principal Amount" and in the bond ordinances referred to therein, each in all respects duly approved and published as required by law, shall be issued as "General Improvement Bonds".

The Bonds shall mature in the principal amounts on October 1 in each of the years as

follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2022	\$1,900,000	2027	\$1,500,000
2023	\$1,400,000	2028	\$1,500,000
2024	\$1,400,000	2029	\$1,500,000
2025	\$1,400,000	2030	\$1,500,000
2026	\$1,400,000	2031	\$1,500,000

Section 2. The actual principal amounts may be adjusted by the Township, at its option, in accordance with N.J.S.A. 40A:2-26(g). Any such adjustment shall not exceed 10% of

the principal for any maturity with the aggregate adjustment to maturity not to exceed 10% of the principal for the overall issue.

Section 3. The Bonds shall be subject to redemption prior to their stated maturity in accordance with the full Notice of Sale attached hereto as Exhibit A (the "*Full Notice of Sale*").

Section 4. The Bonds shall be ten in number, with one certificate being issued for each year of maturity, and shall be numbered GIB-1 to GIB-10, inclusive

Section 5. The Bonds shall be dated their date of issuance and shall bear interest payable semiannually on the first day of April and October in each year until maturity or prior redemption, commencing on April 1, 2022, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1%, proposed by the successful bidder in accordance with the Full Notice of Sale.

Section 6. The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Director of Finance under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Township Clerk.

Section 7 (a) The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of the Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, which will act as securities depository (the "*Securities Depository*"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases of the Bonds may be made in the principal amount of \$5,000 or any integral multiple thereof except that those Bonds in excess of the largest principal amount not equaling a multiple of \$5,000 may be purchased in amounts of \$1,000 or any multiple thereof through book-entries made on the books and records of The Depository Trust Company and its participants.

(b) The principal of and interest on the Bonds will be paid to the Securities Depository by the Township on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of the Securities Depository as listed on the records of the Securities Depository as of each next preceding March 15 and September 15 (the "Record Dates" for the Bonds).

Section 8. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Township to market the Bonds, including in accordance with the requirements of the Securities Depository:

[Form of Bond begins on next page]

REGISTERED
NUMBER A- ____

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF MIDDLESEX

TOWNSHIP OF PISCATAWAY

GENERAL IMPROVEMENT BOND

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DATED DATE:

MATURITY DATE:

RATE OF INTEREST PER ANNUM:

INTEREST PAYMENT DATES:

INITIAL INTEREST PAYMENT DATE:

RECORD DATES:

CUSIP NUMBER:

TOWNSHIP OF PISCATAWAY, a municipal corporation of the State of New Jersey (the "Township"), hereby acknowledges itself indebted and for value received promises to pay to the REGISTERED OWNER, or registered assigns, on the MATURITY DATE, upon presentation and surrender of this bond, the PRINCIPAL AMOUNT, and to pay interest on such sum from the DATED DATE until it matures at the RATE OF INTEREST PER ANNUM specified above semiannually on the INTEREST PAYMENT DATES in each year until maturity, commencing on the INITIAL INTEREST PAYMENT DATE. Principal of and interest due on this bond will be paid to the REGISTERED OWNER by the Township or its designated paying agent and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the RECORD DATES next preceding the respective INTEREST PAYMENT DATES. The principal of and interest on this bond are payable in lawful money of the United States of America.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The bonds of this issue maturing prior to October 1, 2030 are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after October 1, 2030 are redeemable at the option of the Township, in whole or in part, on any date on or after October 1, 2029 at 100% of the principal amount outstanding (the "Redemption Price") plus interest accrued to the date of redemption upon notice as required herein.

Notice of redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than 30 days nor more than 60 days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Township or a duly appointed bond registrar. Any failure of the securities depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the Township determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Township; the bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Interest shall cease to accrue on the redeemed bonds after the date fixed for redemption and no further interest shall accrue beyond the redemption date. Payment shall be made upon surrender of the bonds redeemed.

So long as Cede & Co., as nominee for DTC, is the registered owner of the Bonds, the Township shall send redemption notices only to Cede & Co.

This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Township adopted October 12, 2021, and entitled, "Resolution Providing for Certain Issues of General Improvement Bonds of the Township of Piscataway, in the County of Middlesex, New Jersey, into a Single Issue of Bonds Aggregating \$15,000,000 in Principal Amount" and the bond ordinances referred to therein, each in all respects duly approved and published as required by law.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, the TOWNSHIP OF PISCATAWAY has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Director of Finance, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Township Clerk, and this bond to be dated the DATED DATE as specified above.

TOWNSHIP OF PISCATAWAY

[SEAL]

By: [executed upon issuance]
Mayor

ATTEST:

By: [executed upon issuance]
Clerk

By: [executed upon issuance]
Director of Finance

Section 9. (a) The Bonds shall be sold on October 21, 2021, or such other date as may be determined by the Director of Finance, via the "MuniAuction Electronic Bid System" ("MuniAuction") by electronic auction in accordance with the conditions set forth and described in the Full Notices of Sale for the Bonds set forth in Exhibit A (the "Full Notice of Sale"). The Full Notices of Sale shall be posted on MuniAuction.

(b) Pursuant to N.J.S.A. 40A:2-34, the Township hereby designates the Director of Finance to sell and award the Bonds in accordance with the Full Notice of Sale with such changes as to date or the terms as deemed advisable or necessary by NW Financial Group, LLC,

the Township's Municipal Advisor, and McManimon, Scotland & Baumann, LLC, the Township's Bond Counsel, to access effectively the market for the sale of the Bonds, and such Director of Finance shall report in writing the results of the sale to this Township Council as required by law. The Director of Finance is hereby authorized and directed, consistent with the terms of the Full Notice of Sale, to retain the good faith deposit of the successful bidder and to return immediately such good faith deposits, whether by wire or check, to the unsuccessful bidders.

Section 10. The Clerk is hereby directed to arrange for the publication of the Short Notices of Sale attached hereto as Exhibit B (the "*Short Notice of Sale*") in *The Star-Ledger* or such other authorized newspaper of the Township, and McManimon, Scotland & Baumann, LLC is hereby directed to arrange for the publication of the Summary Notices of Sale attached hereto as Exhibit C (the "*Summary Notice of Sale*") in *The Bond Buyer*, a financial newspaper published and circulating in the City of New York, New York, such publications to be not less than seven days prior to the date of sale.

Section 11. The Full Notice of Sale, the Short Notices of Sale and the Summary Notices of Sale shall be substantially in the forms attached hereto as Exhibit A, Exhibit B and Exhibit C, respectively, with such additions, deletions and omissions as may be necessary, beneficial or desirable in the opinion and judgment of the Director of Finance to market and sell the Bonds, including in accordance with the Securities Depository and MuniAuction.

Section 12. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon, Scotland & Baumann, LLC, complete except for omission of its date.

Section 13. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Bonds and the Official Statement to be prepared by McManimon, Scotland & Baumann, LLC, NW Financial Group, LLC and Township officials. The Mayor and the Director of Finance are hereby authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Township by the Director of Finance or by the Mayor. Final Official Statements shall be delivered to the purchaser of the Bonds within the

earlier of seven business days following the sale of the Bonds or to accompany the purchaser's confirmations that request payment for the Bonds.

Section 14. The Township hereby covenants that it will comply with any conditions subsequently imposed by the Internal Revenue Code of 1986, as amended, in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 15. (a) The Director of Finance is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with the Securities Depository as may be necessary in order to provide that the Bonds will be eligible for deposit with the Securities Depository and to satisfy any obligation undertaken in connection therewith.

(b) In the event that the Securities Depository may determine to discontinue providing its service with respect to the Bonds or is removed by the Township and if no successor securities depository is appointed, the Bonds that were previously issued in book-entry form shall be converted to registered Bonds in denominations of \$5,000 or any integral multiple in excess thereof except that those Bonds in excess of the largest principal amount not equaling a multiple of \$5,000 may be purchased in amounts of \$1,000 or any multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the registered Bonds. The Township shall be obligated to provide for the execution and delivery of the registered Bonds in certificated form.

Section 16. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Township shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to September 30 of each year, beginning September 30, 2022, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the Securities and Exchange Commission to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Township consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Township and certain financial information and operating data consisting of (i) the Township indebtedness, (ii) property valuation information and (iii) tax rate, levy and collection data. The audited financial information will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law.

(b) If any of the following events occur regarding the Bonds, a timely notice not in excess of ten business days after the occurrence of such event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to the rights of holders of the Bonds, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Township;
- (13) The consummation of a merger, consolidation or acquisition involving the Township or the sale of all or substantially all of the assets of the Township, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a Financial Obligation of the Township, if material, or agreement to covenants, events of default, remedies, priority rights or

- other similar terms of a Financial Obligation, any of which affect holders of the Bonds, if material; and
- (16) Default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of the Township, if any such event reflects financial difficulties.

The term "Financial Obligation" as used in subparagraphs (b)(15) and (b)(16) above means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation or (iii) guarantee of (i) or (ii); *provided, however*, that the term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

(c) Notice of failure of the Township to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

The Director of Finance shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Township prior to their offering. Such Director of Finance is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

In the event that the Township fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Township shall not be liable for monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 17. This resolution shall take effect immediately.

RESOLUTION 21-350

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Township of Piscataway, in the County of Middlesex, New Jersey (the "Township"), authorized pursuant to the bond ordinances of the Township heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds in the principal amount of \$15,000,000 (the "Bonds").

The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Bond Ordinance Number	Principal Amount of Bonds	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
18-32	\$1,661,250	Various capital improvements, finally adopted December 18, 2018.	10.94 years
19-30	\$6,317,500	Various capital improvements, finally adopted November 26, 2019.	10.00 years
20-32	\$5,000,000	Various capital improvements, finally adopted December 12, 2020.	10.00 years
21-10	\$2,021,250	Various capital improvements, finally adopted April 20, 2021.	10.00 years
TOTAL	\$15,000,000		

The following matters are hereby determined with respect to the combined issue of Bonds:

The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 10.10 years.

The Bonds of the combined issue shall be designated "General Improvement Bonds" and shall mature within the average period of usefulness herein determined.

The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

The following additional matters are hereby determined, declared, recited and stated:

None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2 hereof.

The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

This resolution shall take effect immediately.

RESOLUTION 21-351

WHEREAS, Valencia Piscataway, LLC, Livingston, NJ, has completed their project on Block 2101, Lot 11.02 (73 Old New Brunswick Road); and

WHEREAS, pursuant to a Request for Release of Funds dated September 16, 2021 and a Memorandum from the Township Supervisor of Engineering dated September 16, 2021, copies of which are attached hereto and made a part hereof, said Supervisor of Planning advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$11,938.97 be returned to Valencia Piscataway, LLC; and

WHEREAS, Elizabeth Kozlowski, Executrix of the Estate of Teresa Kumbatovic, Piscataway, NJ, has completed their project on Block 3903 (F/Blk 448), Lot 60.01 (110 Stratton Street); and

WHEREAS, pursuant to a Request for Release of Funds dated September 15, 2021 and a Memorandum from the Township Supervisor of Engineering dated September 22, 2021, copies of which are attached hereto and made a part hereof, said Supervisor of Planning advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$37.87 be returned to Elizabeth Kozlowski, Executrix of the Estate of Teresa Kumbatovic; 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 Valencia Piscataway, LLC, Livingston, NJ, in the amount of \$11,938.97, regarding Block 2101, Lot 11.02 (73 Old New Brunswick Road); 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 unexpended engineering and inspection fee funds to Elizabeth Kozlowski, Executrix of the Estate of Teresa Kumbatovic, Piscataway, NJ, in the amount of \$37.87, regarding Block 3903 (F/Blk 448), Lot 60.01 (110 Stratton Street).

RESOLUTION 21-352

WHEREAS, On or about August 2, 2021, the manhole cover that sealed the Ambrose Brook Cofferdam was dislodged and copious amounts of storm water entered the manhole; and

WHEREAS, the Township attempted to temporarily reseal the manhole with no success and, as such, has retained T.R. Weniger, Inc. to permanently reseal the manhole in question; and

WHEREAS, N.J.S.A 40A:11-6 allows the Township to award emergency contracts when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, without the resealing of this manhole, the discharge of sanitary sewer flow will contaminate the environment surrounding Ambrose Brook; and

WHEREAS, the Director of Finance and 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, T. R. Weniger, Inc., was able to provide immediate assistance in regard to the resealing of the manhole cover, in the amount of \$19,800.00; and

WHEREAS, there is funding available in Account #R-2021-0095;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, County of Middlesex and State of New Jersey, that the appropriate municipal officials be and do hereby approve an emergency contract with T.R. Weniger, Inc., for the emergency resealing of the manhole cover at the Ambrose Brook Cofferdam, in the amount of \$19,800.00, subject to all contract documents.

RESOLUTION 21-353

WHEREAS, the Township of Piscataway is in need of Low Sulphur Diesel Supply for the period from October 12, 2021 to November 11, 2021; and

WHEREAS, the Township of Piscataway Director of the Department of Public Works recommends awarding an Open-End contract for the purchase of Low Sulphur Diesel on an as-needed basis under the Somerset County Cooperative Purchasing Contract # CC-0036-19 to

National Fuel, Inc., Newark, NJ, at the unit price specified in the above referenced contract, in the amount not to exceed \$15,000.00 from October 12, 2021 through November 11, 2021; and

WHEREAS, pursuant to requirements of N.J.A.C. 5:30-5.1 et seq., any Open-Ended contract shall be subject to the availability and appropriation of sufficient funds annually; and

WHEREAS, funds are available pursuant to certification # R-2021-0096;

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 an Open-End contract for as-needed purchase of Low Sulphur Diesel from National Fuel, Inc., Newark, NJ, through the Somerset County Cooperative Purchasing Contract # CC-0036-19, in the amount not to exceed \$15,000.00 from October 12, 2021 through November 11, 2021.

RESOLUTION 21-354

WHEREAS, the Township Director of Public Works has advised that the Township is in need of Gasoline Supply 87 Octane; and

WHEREAS, pursuant to a Recommendation to Award, a copy of which is attached hereto and made a part hereof, the Township Director of Public Works recommends awarding an Open-End contract for the purchase of Gasoline Supply 87 Octane on an as-needed basis under Somerset County Cooperative Purchasing Contract # CC-0045-20 to National Fuel Oil, Inc., Newark, NJ, at the unit price specified in the above coop bid contract, in the amount not to exceed \$150,000.00 for October 12, 2021 through May 26, 2022; and

WHEREAS, funds are available pursuant to certification # B-2021-027;

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 an Open-End contract for as-needed purchase of Gasoline Supply 87 Octane to National Fuel Oil, Inc., Newark, NJ through Somerset County Cooperative Purchasing Contract # CC-0045-20, in the amount not to exceed \$150,000.00 for October 12, 2021 through May 26, 2022, subject to all bid specifications and contract documents.

RESOLUTION 21-355

WHEREAS, the Township of Piscataway (the "Township") is in need of a 2022 F450 Mason Dump Truck & Chassis with Crew Cab, Plow and Spreader (the "Truck"); and

WHEREAS, the Director of Public Works recommends awarding a contract for the Truck through New Jersey State Contract #A88728, T2776 to Winner Ford, Cherry Hill, NJ, in the amount not to exceed \$79,867.00; and

WHEREAS, there is funding available pursuant to certification # R-2021-0097;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to enter into a contract with Winner Ford, Cherry Hill, NJ, for a 2022 F450 Mason Dump Truck & Chassis with Crew Cab, Plow and Spreader, in the amount not to exceed \$79,867.00, through New Jersey State Contract #88728, T2776.

RESOLUTION 21-356

WHEREAS, the Township of Piscataway requires Professional Redevelopment Planning Services for preparation of an Area in Need of Redevelopment Study and Redevelopment Plan – for 4100 New Brunswick Avenue (Block 1701, Lot 2.03) (the "Project"); and

WHEREAS, 4Site Planning, LLC, has submitted a proposal dated September 24, 2021, for Professional Redevelopment Planning Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$13,000.00; and

WHEREAS, 4Site Planning, LLC was previously qualified under the Fair and Open Process to provide professional services for Planning Services – Township Planner - Redevelopment by the Township of Piscataway for 2021; and

WHEREAS, there is funding available pursuant to certification # R-2021-0100;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize 4Site Planning, LLC, to provide Professional Redevelopment Planning Services for preparation of an Area in Need of Redevelopment Study and Redevelopment Plan – for 4100 New Brunswick Avenue (Block 1701,

Lot 2.03), at the rates set forth in said Proposal, with such services not to exceed \$13,000.00 in cost.

RESOLUTION 21-357

WHEREAS, the Township of Piscataway and the following property owner has been engaged in litigation on a tax appeal which is pending in the Tax Court; and

WHEREAS, the Municipal Tax Assessor and Special Counsel for Tax Appeals have recommended the following settlement regarding the assessed value of the property for the specified year:

South Washington Park, LLC

Block 5701, Lot 1.04
10 Knox Drive

	2020 <u>Assessment</u>	2020 County Bd <u>Assessment</u>	2020 Proposed Tax Ct <u>Assessment</u>
Land	6,811,000	6,811,000	6,811,000
Improvements	<u>15,836,000</u>	<u>23,688,000</u>	<u>21,509,000</u>
Total	22,647,000	30,499,000	28,320,000

	2021 <u>Assessment</u>	2021 Proposed <u>Assessment</u>	2022 Proposed <u>Assessment</u>
Land	11,970,000	11,970,000	14,364,000
Improvements	<u>21,490,000</u>	<u>21,490,000</u>	<u>15,636,000</u>
Total	33,460,000	33,360,000	30,000,000

South Washington Park, LLC

Block 5701, Lot 1.05
30 Knox Drive

	2020 <u>Assessment</u>	2020 Proposed <u>Assessment</u>
Land	9,173,000	9,173,000
Improvements	<u>21,326,000</u>	<u>11,857,000</u>
Total	30,499,000	21,030,000

	2021 <u>Assessment</u>	2021 Proposed <u>Assessment</u>	2022 Proposed <u>Assessment</u>
Land	9,905,000	9,905,000	11,886,000
Improvements	<u>14,945,000</u>	<u>14,945,000</u>	<u>11,114,000</u>
Total	24,850,000	24,850,000	23,000,000

WHEREAS, the Special Counsel for Tax Appeals, as well as appraisal consultants retained by the Township, have advised that the proposed settlement fully conforms with the public interest; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the settlement of the above Tax Appeal, as recommended by the Municipal Tax Assessor and Special Counsel for Tax Appeals and as specifically set forth above, be and the same is hereby approved; and

BE IT FURTHER RESOLVED that upon notification from the Assessor that the above settlement has been approved by the Tax Court, the Tax Collector and other appropriate officials, the appropriate municipal officials be and are hereby authorized to issue the refund

and/or credit corresponding to the aforementioned assessed value.

RESOLUTION 21-358

WHEREAS, Evily Distribution, Piscataway, NJ made a \$290.00 payment to the Township Fire Prevention Bureau in error and requests that same be refunded; 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 said payment, in the amount of \$290.00, to Evily Distribution, Piscataway, NJ.

RESOLUTION 21-359

WHEREAS, On or about September 1, 2021, Hurricane Ida produced severe flooding within the Township, greatly effecting Township residents; and

WHEREAS, after Hurricane Ida, the Township provided its residents with assistance as it pertains to the cleanup of debris that was being discarded from the flooded residential homes; and

WHEREAS, N.J.S.A 40A:11-6 allows the Township to award emergency contracts when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the timely removal of the aforementioned debris was necessary to avoid mold, disease and other health related issues that would affect the public health, safety and welfare of the Township residents; and

WHEREAS, the Director of Finance and 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, Frank Galbraith & Son Excavation and Demolition LLC was able to provide immediate assistance in regard to the removal of the debris, in the amount of \$90,880.00; and

WHEREAS, there is funding available in Account #R-2021-098;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, County of Middlesex and State of New Jersey, that the appropriate municipal officials be and do hereby approve an emergency contract with Frank Galbraith & Son Excavation and Demolition LLC for the emergency debris removal, in the amount of \$90,880.00, subject to all contract documents.

RESOLUTION 21-360

WHEREAS, on September 30, 2021, the Township of Piscataway received re-bids for Snow Shoveling Services for the period from October 15, 2021 through April 30, 2023; and

WHEREAS, the Township Director of Public Works has reviewed the bids and recommends awarding a contract for the purchase of Snow Shoveling Services, on an as-needed basis, to VIP Special Service, LLC, West Orange, NJ who is the lowest qualifying bidder, in the amount not to exceed \$70,000.00, for the period from October 15, 2021 through April 30, 2022 and in the amount not to exceed \$70,000.00 for the period from October 15, 2022 through April 30, 2023, for a total amount not to exceed \$140,000.00; and

WHEREAS, there is funding available pursuant to certification # B-2021-0029;

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 an Open-End contract for Snow Shoveling Services, on an as-needed basis, to VIP Special Service, LLC, West Orange, NJ who is the lowest qualifying bidder, in the amount not to exceed \$70,000.00, for the period from October 15, 2021 through April 30, 2022 and in the amount not to exceed \$70,000.00 for the period from October 15, 2022 through April 30, 2023, for a total amount not to exceed \$140,000.00, subject to all bid specifications and contract documents.

RESOLUTION 21-361

WHEREAS, on September 30, 2021, the Township of Piscataway (the "Township") received re-bids for the 2021 Snowplowing Services Project – Year One with a Second Year Option; and

WHEREAS, the Township Director of Public Works recommends awarding a contract for the Snowplowing Services Project – Year One with a Second Year Option to Frank Galbraith & Son Excavating, Scotch Plains, NJ, in the amount not to exceed \$150,000.00 for the First Year, for the period from October 15, 2021 through April 30, 2022 and in the amount not to exceed

\$150,000.00 for the Second Year, for the period from October 15, 2022 through April 30, 2023; and

WHEREAS, funds are available pursuant to certification # B-2021-028;

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 Snowplowing Services Project – Year One with a Second Year Option to Frank Galbraith & Son Excavating, Scotch Plains, NJ, in the amount not to exceed \$150,000.00 for the First Year, for the period from October 15, 2021 through April 30, 2022 and in the amount not to exceed \$150,000.00 for the Second Year, for the period from October 15, 2022 through April 30, 2023.

RESOLUTION 21-362

WHEREAS, Grotto Engineering Associates, LLC, Cranford, NJ (“Grotto”) was awarded a contract for Engineering Design Services in regard to the Ethel Road Improvements (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 Grotto’s proposal 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 Director of DPW has reviewed the Contract Amendment Request No. 1 from Grotto dated October 4, 2021, a copy of which is attached hereto and made a part hereof, and recommends approval of same; and

WHEREAS, there is funding available pursuant to certification # R-2015-65-3;

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 Grotto Engineering Associates, LLC from \$134,864.00 to \$151,464.00 an increase of not to exceed \$16,600.00, due to unanticipated work required for the Ethel Road Improvements, subject to all bid specifications and contract documents.

RESOLUTION 21-363

WHEREAS, the Township of Piscataway (the “Township”) requires Professional Engineering Services in regard to the Justice Street Improvements from International Ave to Ethel Road (the “Project”); and

WHEREAS, there was previous contract amendments in regard to the Project and 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 Grotto Engineering 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 Contract Amendment Request No. 3, and recommends approval of same; and

WHEREAS, there is funding available pursuant to certification # R-2020-0051;

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 Grotto Engineering from \$106,050.00 to \$121,500.00, an increase of not to exceed \$15,450.00, due to unanticipated work required in regard to the Justice Street Improvements from International Ave to Ethel Road, subject to all bid specifications and contract documents.

RESOLUTION 21-364

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

WHEREAS, pursuant to Ordinance Nos. 18-22, 18-22, 18-21, 18-23, 2020-03 and 2020-18, respectively, the following properties on Hoes Lane were improved with sidewalks and curbing, with said improvements to be assessed to the property owners pursuant to N.J.S.A. 40:65-1 et. seq.:

Address	Block	Lot	Owner
399 Hoes Lane	6003	1.02	Hapag-Lloyd (America) LLC
403 Hoes Lane	6003	9	Hapag-Lloyd (America) LLC
501 Hoes Lane	7501	24.01	501 Hoes Lane Inc.
4 Skiles Avenue	7401	1.02	NJ Bell Tel. Co.
377 Hoes Lane	6003	12.01	Virdi Real Estate Holding LLC
550 Hoes Lane	11319	9.01	Domenico & Saveria Vocisano

(the “Properties”); and

WHEREAS, the Township passed Resolution # 21-299 on August 10, 2021, confirming the cost of said improvements and authorizing the assessment of same by the tax collector; and

WHEREAS, the Township Supervisor of Engineering discovered an inadvertent mistake in the calculation of said costs, and has filed a report dated August 25, 2021, for the correct costs of said improvements, a copy of which is attached hereto, with the Township Clerk which has been submitted to the Township Council for examination and confirmation; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the August 25, 2021 report of costs for the construction of sidewalks and curbing on the above referenced Properties has been examined and is hereby confirmed; and

BE IT FURTHER RESOLVED that the Township Tax Assessor is authorized to record the corrected costs listed in the August 25, 2021 report as a special assessment against each of the Properties respectively and that the Township Tax Assessor is further authorized to either credit and/or refund said property owners for any overpayment made based on the corrected special assessment.

RESOLUTION 21-365

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the “*Municipal Clerk*” pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the

director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the *Township Council* of the *Township of Piscataway*, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION 21-366

WHEREAS, the Township of Piscataway (the “Township”) wishes to enter into a Filming Agreement with Kennedyo Entertainment LLC (the “Agreement”); and

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

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

BE IT FURTHER RESOLVED that the appropriate municipal officials and the Mayor are hereby authorized to execute the Agreement on behalf of the Township of Piscataway and that their signature constitutes acceptance of the terms and conditions of the Agreement.

RESOLUTION 21-367

WHEREAS, the Township of Piscataway (the “Township”) is in need of a 2022 Ford F250 Utility Body Truck with Liftgate (the “Truck”); and

WHEREAS, the Director of Public Works recommends awarding a contract for the Truck through New Jersey State Contract #A88726, T210 to Winner Ford, Cherry Hill, NJ, in the amount not to exceed \$47,756.00; and

WHEREAS, there is funding available pursuant to certification # R-2021-0101;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to enter into a contract with Winner Ford, Cherry Hill, NJ, for a 2022 Ford F250 Utility Body Truck with Liftgate, in the amount not to exceed \$47,756.00, through New Jersey State Contract #A88726, T210.

RESOLUTION 21-368

WHEREAS, Daylton P. Amaral has applied with the Township of Piscataway for a Peddlers License for 2021; and

WHEREAS, pursuant to a letter from the Piscataway Township Police Department, dated October 7, 2021, a copy of which is attached hereto and made a part hereof, the Piscataway Township Police Department recommends granting a Peddlers License for 2021 to Daylton P. Amaral; 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 Peddlers License for 2021 to Daylton P. Amaral.

The following are the Disbursements for the month of September 2021

Mayor Wahler read the following Proclamation:

Whereas, Piscataway Township values its renewed, positive relationship with Piscataway Schools under the leadership of Board of Education President Shelia Hobson; and
Whereas, Hurricane Ida brought extreme weather conditions to New Jersey on September 1, 2021, causing in some cases catastrophic damage to the homes of Piscataway residents; and
Whereas, many homes along the River Road corridor were severely affected, most notably apartments adjacent to the Raritan River where some residents needed to be evacuated by boat by volunteer first responders; and
Whereas, Superintendent Dr. Frank Ranelli, Director of Administrative Services Colleen Pongratz and school principals worked tirelessly to identify families with children displaced by the storm; and
Whereas, Governor Phil Murphy provided needed emergency financial assistance to temporarily house those residents whose homes were either destroyed or left without electricity and hot water; and
Whereas, Piscataway Township arranged for rooms at the Embassy Suites and Radisson in Piscataway; and
Whereas, families with children were given with priority placement in the hotels; and
Whereas, Piscataway Schools provided school bus service for those children staying at the Embassy Suites and Radisson.
Now therefore be it resolved, that I, Brian C. Wahler, Mayor of the Township of Piscataway, County of Middlesex, State of New Jersey, expresses extraordinary appreciation to the leadership of Piscataway Schools for acting without haste and in concert with Piscataway Township to safeguard the well-being of families in our community; and
Be it further resolved, that Piscataway Township looks forward to continued cooperation with Piscataway Schools to ensure that all Piscataway children have a robust assortment of resources that enables productive and enriching lives.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Mayor Wahler spoke on Hindu Heritage Month
Mrs. Lombardi spoke about renaming of football field ceremony.

The Council considered the matters on the Agenda for November 4, 2021:

- ORDINANCE – SECOND READING - Ordinance Amending a Redevelopment Plan for 800 Centennial Avenue, Designated as Block 6703 Lot 2.02 – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Amending Chapter VII (7) – Traffic – Section 14 Parking Prohibited at all Times – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Acquisition of Rights of Way , Easements and Land in Fee Simple for the Improvements of Cedarwood Drive, Leslie Avenue, Third Avenue and Eleventh Street – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Amendment of Permanent Easement for Municipal Purposes – Union Carbide Corporation – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- RESOLUTION –Authorizing Change Order #1 – Sterling Village Phase II Renovations – EMY Solutions, LLC – Not to Exceed \$44,602.50.
- RESOLUTION – Authorizing Refund of Firearm Overpayments.

OPEN TO PUBLIC:

Pratik Patel, 29 Redbud Rd, spoke on his concern about treatment of his son in school with COVID protocols
Antonio Vocisano, 550 Hoes Ln, spoke about special assessment on his property.
Virginia Darbus, spoke on her concerns about the sump pump ordinance

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

There being no further business to come before the council, the meeting was adjourned at 8:07pm on motion of Mr. Cahn, seconded by Mr. Rouse, carried unanimously.

Respectfully submitted,

Monica Orlando, Deputy Township Clerk

Accepted:

Kapil Shah
Council President