A Regular Meeting of the Piscataway Township Council was held on December 5, 2023 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by Council President, Frank Uhrin, at 7:30 pm.

Council President Uhrin made the following Statement, in compliance with the Open Public Meetings Act: Adequate notice of this meeting has been provided as required under Chapter 231, P.L. 1975, specifying the time, date, location, login, or dialin 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.

In order to ensure a clear record of the meeting can be made and that all parties are heard in an organized fashion, all members of the public that are participating remotely will be muted during the meeting. The Township will provide for public comment periods for both remote and in person attendees separately.

If a member of the public wishes to speak during any public comment portion for remote attendees, please raise your hand. This can be done either through the Zoom app or by pressing *9 (star nine) on your phone. When it is your turn to speak, you will receive a prompt or request to unmute. Please click on the prompt or press *6 (star 6) on your phone to unmute and begin making your comments.

All members of the public will have three minutes to speak, and should ask any and all questions they may have during that period. At the conclusion of your three minutes, remote attendees will be muted again. In-person attendees will also receive three minutes to ask any and all questions, and may then take a seat, at which time 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 phone line or logged in user account, we ask that if you wish to speak, that you login in or dial in separately so that we can recognize you as a separate individual.

On roll call, there were present: Messrs. Cahill, Carmichael, Espinosa, Lombardi, Shah and Uhrin.

Mr. Uhrin led the salute to the flag.

Mr. Uhrin opened the meeting to the remote attendees for comments regarding the Consent Agenda Items.

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

Mr. Uhrin opened the meeting to the in person attendees for comments regarding the Consent Agenda Items.

Costas Efthymious, 58 Curtis Ave, asks for clarification on item 12a.

Mayor Brian Wahler provides clarification on the project for Mr. Efthymious.

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

Township Clerk, Melissa Seader, announced that Councilman Rouse joined the meeting.

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE APPROPRIATING \$2,500,000 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 IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

Section 1.\$2,500,000 is hereby appropriated from the Sewer Utility Budget – Capital Outlay for various sewer utility improvements, including (1) preliminary planning and engineering services for various sewer improvements (professionals and consultants for design and improvements), including, but not limited to, sewer infiltration and inflow, sewer study and stormwater regulation consultants, and (2) various sewer improvements relating to road projects Township-wide, including, but not limited to, the replacement of concrete/granite block curbs, the installation of sidewalks and ADAcompliant pedestrian curb ramps and the milling and paving/reconstruction of asphalt surfaces, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto, in and by the Township of Piscataway, in the County of Middlesex, New Jersey (the "Township").

Section 2.The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

Mr. Uhrin opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Mr. Uhrin opened the Meeting to the In-Person Attendees for Comments

There being no comments, the public portion was closed.

RESOLUTION offered by Ms. Lombardi seconded by Ms. Cahill, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE APPROPRIATING \$2,500,000 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.

was introduced on the 9th day of November, 2023 and had passed the first reading and was published on the 17th day of November, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 5, 2023, 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. 2023-31.

On roll call vote Messrs. Cahill, Carmichael, Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

The Clerk read for SECOND READING the following ORDINANCE: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$4,220,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,009,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDLESEX, NEW JERSEY (not less than twothirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1.The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Piscataway, in the County of Middlesex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$4,220,000, and further including the aggregate sum of \$211,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2.In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$4,009,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

10110103.			
Purpose	Appropriation & Estimated Cost	Estimated Maximum Amount of <u>Bonds & Notes</u>	Period of <u>Usefulness</u>
a) Various road improvements, including, but not limited to, the replacement or reconstruction of curbs, sidewalks, driveway aprons and concrete sidewalk curb (ADA) ramps on various streets and roads Township- wide, as more fully described on a list on file in the Office of the Clerk, which list is hereby incorporated by reference as if set forth at length, and further including all work and materials necessary therefor and			
incidental thereto.	\$2,000,000	\$1,900,000	10 years
b) Cedarwood Drive Phase II Road Improvement (Walnut Street to terminus), including all work and materials necessary therefor and incidental thereto.	\$520,000	\$494,000	10 years

c) Winans Avenue Road Improvement Project (Washington Avenue to terminus), including, but not limited to, the replacement of concrete curbs, the installation of sidewalks and ADA-compliant pedestrian curb ramps and the milling and overlay of pavement surface, and further including all work and materials necessary therefor and incidental thereto.	\$700,000	\$665,000	10 years
d) Various park improvements, including, but not limited to, replacement of playground equipment, construction of pickle ball courts, installation of lighting, improvements to the playground shelter and the park fitness area, installation of park signage, repaving and restriping of parking lots and landscaping and ballfield improvements Township- wide, as more fully described on a list on file in the Office of the Clerk, which list is hereby incorporated by reference as if set forth at length, and further including all work and materials necessary therefor and incidental thereto.	\$ <u>1,000,000</u>	\$ <u>950,000</u>	15 years
Total:	\$ <u>4,220,000</u>	\$ <u>4,009,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4.All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must

include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6.The following additional matters are hereby determined, declared, recited and stated:

(a)The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b)The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.18 years.

(c)The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,009,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d)An aggregate amount not exceeding \$245,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7.The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8.Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the

Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mr. Uhrin opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Mr. Uhrin opened the Meeting to the In-Person Attendees for Comments

There being no comments, the public portion was closed.

RESOLUTION offered by Ms. Cahill seconded by Ms. Carmichael, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$4,220,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,009,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

was introduced on the 9th day of November, 2023 and had passed the first reading and was published on the 17th day of November, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 5, 2023, 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. 2023-32.

On roll call vote Messrs. Cahill, Carmichael, Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

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 II (2), ADMINISTRATION, SECTIONS 64 & 80.12, CHAPTER VII (7), TRAFFIC, SECTIONS 8, 14, 17 & 25, CHAPTER XV (15), SHORT TERM RENTALS, SECTIONS 2, 3, 8 & 9, CHAPTER XVI (16), HOUSING AND RENT CONTROL, SECTIONS 2, 4, 6 & 12, CHAPTER XIX (19), FIRE PREVENTION AND PROTECTION, SECTIONS 10, 14 & 15, CHAPTER XX (20), LAND SUBDIVISION, SECTION 5, CHAPTER XXI (21), ZONING, SECTION 6 AND CHAPTER XXIV (24), SITE PLAN REVIEW, SECTION 5

RESOLUTION offered by Mr. Espinosa seconded by Ms. Lombardi, AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER II (2), ADMINISTRATION, SECTIONS 64 & 80.12, CHAPTER VII (7), TRAFFIC, SECTIONS 8, 14, 17 & 25, CHAPTER XV (15), SHORT TERM RENTALS, SECTIONS 2, 3, 8 & 9, CHAPTER XVI (16), HOUSING AND RENT CONTROL, SECTIONS 2, 4, 6 & 12, CHAPTER XIX (19), FIRE PREVENTION AND PROTECTION, SECTIONS 10, 14 & 15, CHAPTER XX (20), LAND SUBDIVISION, SECTION 5, CHAPTER XXI (21), ZONING, SECTION 6 AND CHAPTER XXIV (24), SITE PLAN REVIEW, SECTION 5

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 remote meeting format on the 19th day of December, 2023.

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. Cahill, Carmichael, Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

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 40, CONTROL FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON PUBLIC AND PRIVATE PROPERTY, TO ASSERT TITLE 39 JURISDICTION ON 135 FLEMING STREET

RESOLUTION offered by Mr. Rouse seconded by Mr. Shah, AN 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 40, CONTROL FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON PUBLIC AND PRIVATE PROPERTY, TO ASSERT TITLE 39 JURISDICTION ON 135 FLEMING STREET

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 remote meeting format on the 19th day of December, 2023.

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. Cahill, Carmichael, Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

The Clerk read for FIRST READING the following ORDINANCE: AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE TOWNSHIP OF PISCATAWAY, NEW JERSEY TO CSC TKR, LLC D/B/A CABLEVISION OF RARITAN VALLEY

RESOLUTION offered by Mr. Espinosa seconded by Ms. Lombardi, AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE TOWNSHIP OF PISCATAWAY, NEW JERSEY TO CSC TKR, LLC D/B/A CABLEVISION OF RARITAN VALLEY

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 remote meeting format on the 19th day of December, 2023.

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. Cahill, Carmichael, Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

Councilwoman Cahill spoke about the contact with Altice and the agreement that the Township has with them.

Mayor Wahler reminds council that this ordinance is only pertaining to Cable TV and has nothing to do with High-Speed Internet.

RESOLUTION #23-413

RESOLUTION offered by Ms. Cahill, seconded by Mr. Shah:

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 December 5, 2023 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- RESOLUTION Authorizing Award of Bid 2023-2024 Temporary Disposal Management Area Log and Vegetative Debris Removal – Nature's Choice NJ, LLC – Not to Exceed \$88,725.00.
- RESOLUTION Renewal of Contract for Prescription, Health and Dental Insurance – Horizon Blue Cross Blue Shield of New Jersey – January 1, 2024 to December 31, 2024 – per Rate Schedule.
- c. RESOLUTION Authorizing Budget Transfers.
- d. RESOLUTION Authorizing Chapter 159 Opioids Settlement.
- e. RESOLUTION Authorizing Renewal of Contract with MicroSystems-NJ.com for MOD IV Program for Assessing – January 1, 2024 through December 31, 2024 – not to exceed \$18,540.50.
- f. RESOLUTION Authorizing Award of Contract Through Somerset County Cooperative – Red Dyed #2 Ultra Low Sulfur Diesel Supply – National Fuel Oil, Inc. – Not to Exceed \$115,000.00.
- g. RESOLUTION Authorizing Award of Contract Through Somerset County Cooperative – Gasoline Supply 87 Octane – National Fuel Oil, Inc. – Not to Exceed \$125,000.00.
- h. RESOLUTION Authorizing Change Order No. 1 2023 AWD Vehicles Through Sourcewell – National Auto Fleet Group – Not to Exceed \$8,653.68.
- i. RESOLUTION Authorizing Return of Escrow:
 - Block 215, Lot 15.01 339 Rock Avenue 23-ZB-23V.
 - Block 4102, Lot 1 101 Circle Drive North Conceptual Plan.
 - Block 4102, Lot 1 101 Circle Drive North 19-PB-25/26V.
- j. RESOLUTION Fire District Nos. 2 and 3 Commissioners Compensation.
- k. RESOLUTION Authorizing Return of Cash Bonds:
 - Block 11205, Lot 12.01 397-399 Park Avenue 23-ZB-06V
 - Blok 1701, Lot 2.03 4100 New Brunswick Avenue 21-PB-46/47V.
- I. RESOLUTION Designation of Township Council Meeting Dates 2024.
- m. RESOLUTION Authorizing Execution of Stipulation of Settlement, Side Agreement and Franchise Agreement with CSC TKR, LLC d/b/a Cablevision of Raritan Valley.

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 December 5, 2023 Regular meeting and adopted by separate vote.

On roll call vote Messrs. Cahill, Carmichael, Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

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

RESOLUTION #23-414

WHEREAS, on November 16, 2023, the Township of Piscataway (the "Township") received two (2) bids in regard to the 2023-2024 Temporary Disposal Management Area Log and Vegetative Debris Removal (the "Project"); and

WHEREAS, the Township Director of Public Works has reviewed the bids and recommends awarding a contract for the Project to Nature's Choice NJ, LLC., Hillsborough, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$88,725.00; and

WHEREAS, funds are available pursuant to certification # B-2023-028;

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 2023-2024 Temporary Disposal Management Area Log and Vegetative Debris Removal to Nature's Choice NJ, LLC., Hillsborough, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$88,725.00, subject to all bid specifications and contract documents.

RESOLUTION #23-415

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

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

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

WHEREAS, the Administration has recommended and requested that the contract between the Township and HORIZON BLUECROSS BLUESHIELD OF NEW JERSEY be renewed for the period January 1, 2024 to December 31, 2024, at the rates set forth on the annexed Exhibit "A"; and

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

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

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

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

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

1. The Mayor and other appropriate officials be and the same are hereby authorized to enter into an agreement to renew the contract for Prescription, Health and Dental Insurance Coverage with HORIZON BLUECROSS BLUESHIELD OF NEW JERSEY for the period January 1, 2024 to December 31, 2024, at the rates set forth on the annexed Exhibit "A"; and

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

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

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

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

RESOLUTION #23-416

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 \$2,645.81 from the National Opioids Settlement Fund Trust and wishes to amend its Calendar Year 2023 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 2023:

Amount Received forOpioids Settlement\$2,645.81

BE IT FURTHER RESOLVED that the like sum of \$\$2,645.81 is hereby appropriated under the caption of:

Opioids Settlement \$2,645.81

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 #23-417

WHEREAS, the Tax Assessor has recommended the renewal of a contract for MOD IV Online Services & Mailing Annual Notice of Assessments for the Township of Piscataway with MicroSystems-NJ.com, LLC; and

WHEREAS, MicroSystems-NJ.com, LLC has agreed to perform such services for the period of January 1, 2024, to December 31, 2024, in an amount not to exceed \$18,540.50, pursuant to a contract proposal dated November 28, 2023; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(dd), a contract for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software may be awarded without public advertising of bids and bidding; and

WHEREAS, funds are available pursuant to certification # R-2023-0280;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Mayor and other appropriate officials be and the same are hereby authorized to enter into an agreement for MOD IV Online Services & Mailing Annual Notice of Assessments for the period of January 1, 2024 to December 31, 2024, with MicroSystems-NJ.com, LLC for a sum not to exceed \$18,540.50.

RESOLUTION #23-418

WHEREAS, the Township Director of Public Works has advised that the Township is in need of Red Dyed #2 Ultra Low Sulphur Diesel ("Sulphur Diesel") for Calendar Years 2023-2024; and

WHEREAS, pursuant to a Recommendation to Award, a copy of which is attached hereto and made a part hereof, said Director of Public Works recommends awarding an Open-End contract for the purchase of Sulphur Diesel for Calendar Years 2023-2024 on an as-needed basis under Somerset County Cooperative Purchasing Contract # CC-0036-23 to National Fuel Oil, Inc., Newark, NJ, at the unit price specified in the above coop bid contract, in the amount not to exceed \$115,000.00 for December 5, 2023 through October 23, 2024; and

WHEREAS, funds are available pursuant to certification # R-2023-0279;

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 Red Dyed #2 Ultra Low Sulphur Diesel for Calendar Years 2023-2023 from December 5, 2023 through October 23, 2024 to National Fuel Oil, Inc., Newark, NJ through Somerset County Cooperative Purchasing Contract # CC-0036-23, in the amount not to exceed \$115,000.00 for December 5, 2023 through October 23, 2024.

RESOLUTION #23-419

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, said 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-0045-22 to National Fuel Oil, Inc., Newark, NJ, at the unit price specified in the above coop bid contract, in the amount not to exceed \$125,000.00 for the period of January 1, 2024 through May 31, 2024; and

WHEREAS, funds are available pursuant to certification # R-2023-0281;

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 for the period from January 1, 2024 through May 31, 2024 to National Fuel Oil, Inc., Newark, NJ through Somerset County Cooperative Purchasing Contract # CC-0045-22, in the amount not to exceed \$125,000.00, subject to all bid specifications and contract documents.

RESOLUTION #23-420

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to National Auto Fleet Group, Watsonville, CA for the 2023 – AWD Vehicles (Fleet Replacement) (the "Project"), in the amount not to exceed \$81,207.66; and

WHEREAS, due to availability of trim levels for the project, the particular vehicle trim available was not included in the original scope of work outlined by the Township and the original trim that was included in the original scope was not anticipated to be unavailable in the proposal from National Auto Fleet Group 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 an \$8,653.68, increase in the total amount of the Project from the original contract amount for a final total not to exceed \$89,861.34, a 10.66% 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 Assistant Director of Public Works, dated November 27, 2023, said Township Assistant Director recommends approving Change Order No. 1; and

WHEREAS, funds are available pursuant to certification # R-2023-0251-01;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the 2023 – AWD Vehicles (Fleet Replacement), with National Auto Fleet Group, Watsonville, CA, from \$81,207.66, to a final total not to exceed \$89,861.34 and execute a Change Order in the amount of \$8,653.68 through the Sourcewell contract #091521-NAF, subject to all bid specifications and contract documents.

RESOLUTION #23-421

WHEREAS, Martha Sanders, Piscataway, NJ, posted three (3) escrow checks with the Township of Piscataway in the amount of \$2,500.00, \$1,000.00, and \$1,000.00 on March 10, 2023, July 7, 2023, and September 28, 2023, respectively, regarding Zoning Board Application # 23-ZB-23V for Block 215, Lot 15.01 (339 Rock Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated November 2, 2023, and a Memorandum from the Township Supervisor of Planning dated November 16, 2023, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$569.02 to Martha Sanders, Piscataway, NJ; and

WHEREAS, All State Construction Corp, Plainfield, NJ, posted an escrow check with the Township of Piscataway in the amount of \$1,500.00 on March 29, 2019, regarding a Conceptual Plan review for Block 4102, Lot 1 (101 Circle Drive North); and

WHEREAS, pursuant to a Request for Release of Funds dated September 12, 2023, and a letter from the Township Supervisor of Planning dated November 14, 2023, copies of which are attached hereto and made a part hereof, the said Supervisor of Planning approved the release of the unexpended escrow fees in the amount of \$975.00, to Allstate Construction Corp., Plainfield, NJ; and

WHEREAS, All State Construction Corp, Plainfield, NJ, posted an escrow check with the Township of Piscataway in the amount of \$16,000.00 on July 8, 2019, regarding a Planning Board Application # 19-PB-25/26V for Block 4102, Lot 1 (101 Circle Drive North); and

WHEREAS, pursuant to a Request for Release of Funds dated September 12, 2023, and a letter from the Township Supervisor of Planning dated November 28, 2023, copies of which are attached hereto and made a part hereof, the said Supervisor of Planning approved the release of the unexpended escrow fees in the amount of \$4,125.29, to Allstate Construction Corp., Plainfield, NJ; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Martha Sanders, Piscataway, NJ in the amount of \$569.02, regarding Zoning Board Application # 23-ZB-23V for Block 215, Lot 15.01 (339 Rock Avenue); and

BE IT FURTHER RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees in the total amount of \$975.00, to Allstate Construction Corp., Plainfield, NJ, regarding Conceptual Plan review for Block 4102, Lot 1 (101 Circle Drive North); and

BE IT FURTHER RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees in the total amount of \$4,125.29, to Allstate Construction Corp., Plainfield, NJ, regarding Planning Board Application # 19-PB-25/26V for Block 4102, Lot 1 (101 Circle Drive North).

RESOLUTION #23-422

WHEREAS the Board of Fire Commissioners of Fire District No. 2 and Fire District No. 3 authorized and approved the 2024 annual compensation for their Board of Fire Commissioners respectively; and

WHEREAS, N.J.S.A. 40A:14-88, requires the salaries of members of the Board of Commissioners of Fire Districts to be reviewed annually by the governing body; and

WHEREAS, the amount of the compensation is reflective of the time, work and dedication necessary to accommodate the rapid growth and expansion of not only the fire service, but the Township as a whole; and

WHEREAS, the Board of Fire Commissioners for Fire District No. 2 finds and determines that said compensation should be effective January 1, 2024 and that said compensation should be in the amounts of \$10,200.00 for Darryl Henry, \$10,200.00 for James Mosier, \$10,200.00 for Brian Agnew, Jr., \$10,200.00 for Peter Combates and \$10,200.00 for My Do, for each year served or pro rata for a portion of any year of service; and

WHEREAS, the Board of Fire Commissioners for Fire District No. 3 finds and determines that said compensation should be effective January 1, 2024 and that said compensation should be in the amounts of \$5,767.00 for Malcolm Brown, \$5,767.00 for Alan Williams, \$7,100.00 for Robert Kertes, \$7,800.00 for Joseph Decker and \$5,766.00 for Adam Scolnick, for each year served or pro rata for a portion of any year of service; and

WHEREAS, the Township Council has reviewed the proposed annual compensation for the Board of Fire Commissioners for Fire District No. 2 and Fire District No. 3 for 2024; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township Council hereby approves the 2024 annual compensation for the Board of Fire Commissioners of the Township of Piscataway, Fire District No. 2, in the amounts of \$10,200.00 for Darryl Henry, \$10,200.00 for James Mosier, \$10,200.00 for Brian Agnew, \$10,200.00 for Peter Combates and \$10,200.00 for My Do, for each year served or pro rata for a portion of any year of service; and

BE IT FURTHER RESOLVED that the Township Council hereby approves the 2024 annual compensation for the Board of Fire Commissioners of the Township of Piscataway, Fire District No. 3, in the amounts of \$5,767.00 for Malcolm Brown, \$5,767.00 for Alan Williams, \$7,100.00 for Robert Kertes, \$7,800.00 for Joseph Decker and \$5,766.00 for Adam Scolnick, for each year served or pro rata for a portion of any year of service.

. RESOLUTION #23-423

WHEREAS, Reema Patel, Piscataway, NJ, requests the release of a Cash Bond in the original amount of \$2,664.00, posted with the Township of Piscataway on May 16, 2023, for off-site improvements on Block 11205, Lot 12.01 (397-399 Park Avenue) regarding Application #23-ZB-06V; and

WHEREAS, pursuant to a Request for Release of Funds dated September 25, 2023 and a letter from the Township Supervisor of Engineering dated November 27, 2023, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that all improvements required and covered have been satisfactorily installed, recommends the release of the Cash Bond to Reema Patel, and that said applicant does not need to post the Maintenance Bond with the Township; and

WHEREAS, ACMY, LLC., Piscataway, NJ, requests the release of a Cash Bond in the original amount of \$6,059.91, posted with the Township of Piscataway on March 23, 2023, for a Safety and Stabilization Guarantee on Block 1701, Lot 2.03 (4100 New Brunswick Avenue) regarding Application #21-PB-46/47V; and

WHEREAS, pursuant to a Request for Release of Funds dated November 28, 2023 and a letter from the Township Supervisor of Engineering dated November 29, 2023, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that said Project site has been returned to a safe and stable condition, recommends the release of the Cash Bond to ACMY, LLC., and advised that said applicant does not need to post the Maintenance Bond with the Township; 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 \$2,664.00, to Reema Patel, Piscataway, NJ, for off-site improvements on Block 11205, Lot 12.01 (397-399 Park Avenue) regarding Application #23-ZB-06V; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release a Cash Bond in the amount of \$6,059.91, to ACMY, LLC., Piscataway, NJ, for a Safety and Stabilization Guarantee on Block 1701, Lot 2.03 (4100 New Brunswick Avenue) regarding Application #21-PB-46/47V.

. RESOLUTION #23-424

WHEREAS, the Township Council of the Township of Piscataway desires to notify the public of its regularly scheduled meetings for the year 2024; and

WHEREAS, the Administrative Code of the Township of Piscataway provides that the Township Council of the Township of Piscataway must hold at least one (1) regular meeting every month; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the regular meetings of the Township Council shall be held in accordance with the attached schedule incorporated herein and made a part hereof; and

BE IT FURTHER RESOLVED that the attached schedule of meetings be published in THE COURIER NEWS and THE STAR-LEDGER.

Township of Piscataway Township Council Meeting Dates 2024

<u>JANUARY</u> 2 Reor 30

Reorganization

<u>AUGUST</u>

<u>FEBRUARY</u> 13	13
MARCH 5	<u>SEPTEMBER</u> 10
APRIL 16	OCTOBER 1
MAY 2 JUNE	<u>NOVEMBER</u> 7* Thursday 12 26
6* Thursday 25	<u>DECEMBER</u> 3 10 17

ALL MEETINGS TO BE HELD AT 7:30 P.M., PREVAILING TIME UNLESS OTHERWISE INDICATED AT THE PISCATAWAY MUNICIPAL BUILDING 455 HOES LANE, PISCATAWAY NEW JERSEY.

ZOOM/DIAL IN INFORMATION FOR EACH MEETING SHALL BE PROVIDED ON THE TOWNSHIP WEBSITE www.piscatawaynj.org PRIOR TO THE MEETING.

MELISSA A. SEADER, Township Clerk

RESOLUTION #23-425

WHEREAS, Altice USA, LLC and its wholly owned subsidiary, CSC TKR, LLC d/b/a Cablevision of Raritan Valley (hereinafter "Altice") requested renewal of the Township of Piscataway's ("Township") franchise agreement on January 4, 2021, with same expiring on December 2, 2023; and

WHEREAS, the Township has negotiated with Altice since the renewal, surveyed Township residents, and appeared at a New Jersey Board of Public Utilities ("BPU") hearing; and

WHEREAS, the parties have agreed to terms for a Franchise Agreement in the form of a Ordinance providing Municipal Consent which maintains all the current benefits and includes a number of improvements; and

WHEREAS, in addition to said Ordinance, the Township wishes to enter into an additional side agreement with Altice ("Side Agreement"), a copy of which is attached hereto, which provides additional benefits to the Township; and

WHEREAS, independently of the Franchise Agreement process, the Township was engaged as a lead community in settlement negotiations with Altice in regard to a complaint filed with the BPU due to Altice's lack of investment in their broadband infrastructure within the Township; and

WHEREAS, the parties have agreed to a settlement of said complaint which includes improvements to Altice's broadband infrastructure and customer service; and

WHEREAS, the Township wishes to enter into a Stipulation of Settlement, a copy of which is attached hereto, to confirm the settlement of the BPU complaint; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Mayor and other appropriate Township officials are hereby authorized to execute the Side Letter and Stipulation of Settlement with Altice USA, LLC and its wholly owned subsidiary, CSC TKR, LLC d/b/a Cablevision of Raritan Valley, in substantially the forms attached herein, subject to changes authorized by the Mayor upon the advice of the Township Attorney.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

- Councilwoman Cahill wishes those who celebrate a Happy Hanukkah. She also tells residents about local organizations and food pantries that can always use donations.
- Councilwoman Carmichael tells residents that the Holmes Marshall Firehouse Women's Auxiliary is hosting a Christmas Party for children on Saturday.
- Councilman Espinosa reminds everyone to travel safely with all of the upcoming festivities.
- Councilwoman Lombardi tells residents that Santa will be arriving to Town Hall on Friday and the annual Tree Lighting will take place.
- Councilman Rouse thanks all of those who have prayed for him during his recovery and wishes everyone a Happy Holiday season.
- Mayor Brian Wahler reminds residents about upcoming Pearl Harbor Day.

The Council considered the matters on the Agenda for December 12, 2023:

- RESOLUTION Authorizing Cancelation of Sewer for Sprinkler Credits Various Blocks and Lots.
- RESOLUTION Fire District No. 1 Commissioners Compensation.
- RESOLUTION Authorizing Acceptance of Project and Release of Retainage – Ethel Road Roadway improvements – KM Construction Corp.
- RESOLUTION Authorizing Budget Transfers.
- MOTION Accept Minutes Council Meeting October 3, 2023.

OPEN TO PUBLIC – REMOTE ATTENDEES:

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

<u>OPEN TO PUBLIC – IN PERSON ATTENDEES:</u>

Costas Efthymious, 58 Curtis Ave, speaks about ordinance violations that he believes are on his block.

Amanda Leger, 98 Pleasant View Dr, asks the Council to pass a resolution supporting New Jersey Safe Staffing Bills S304 & A4536. She said that these bills would establish standards for every hospital.

Roberto Molinaban, Dunellen, also asks Council to support Bills S304 & A4536 and call on officials and legislators to push for these Bills.

Michael Tadak, Metuchen, asks Council to support the nurses by passing a Resolution is support of Bills S304 & A4536.

Councilwoman Cahill says that the Council is going to vote on a resolution to call of our legislators in Trenton to hold hearings on the bill to education people on them and to get more publicity for it.

RESOLUTION offered by Ms. Cahill seconded by Ms. Lombardi.

WHEREAS, on December 5th, 2023, representatives of the nurses that are on strike at Robert Wood Johnson University Hospital ("RWJUH") appeared before the Township of Piscataway ("Township") Council to provide additional information about the staffing, workload and safety concerns of the nurses at RWJUH; and

WHEREAS, the Township and its residents are serviced by RWJUH for their healthcare needs and the staffing crisis and resulting nurses strike at Robert Wood Johnson University Hospital could have dire consequences on the delivery of care in our community; and

WHEREAS, Piscataway supports unions and labor organizations, and recently built the Piscataway Community Center with union labor; and

WHEREAS, after hearing the public comments of the representatives of the RWJUH striking nurses, which included information about Safe Staffing Bills S-304 and A-4536 that are currently being considered by the New Jersey legislature, the Township Council wished to express their support for said nurses and approved an oral resolution, as memorialized herein; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Piscataway, that the Township of Piscataway supports the striking nurses at RWJUH and asks the New Jersey Legislature to hold public hearings on the Safe Staffing Bills S-304 and A-4536 in order to create public awareness and garner public support of said bills; and

BE IT FURTHER RESOLVED, that a copy of this Resolution memorializing the Oral Resolution on December 5, 2023 shall be furnished to Speaker Coughlin, Senate President Scutari, and the New Jersey Acting Comptroller.

On voice call vote Messrs. Cahill, Carmichael, Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

Township Attorney, Rajvir Goomer, said that the last oral resolution that was passed has been memorialized into writing and sent to the Governor's Office and that the same will be done for this one.

There being no further business to come before the council, the meeting was adjourned at 8:08pm. Motion by Ms. Lombardi seconded by Mr. Espinosa, carried unanimously.

Respectfully submitted,

Accepted:

Kelly Mitch, Deputy Township Clerk

Frank Uhrin Council President