

July 13, 2021

A Regular Meeting of the Piscataway Township Council was held on July 13, 2021 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by Council President, Kapil Shah, at 7:30 pm.

Council President Shah 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, and Shah.

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

Mr. Shah opened the meeting to the Public for comments regarding the Consent Agenda Items.

Evan Shegoski asked for clarification on item A.

David Akins, Ambrose Valley Ln asked for clarification on various items.

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

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

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

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

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

WHEREAS, by Resolution #20-302, adopted on September 29, 2020, the Township Council (“**Township Council**”) identified and designated certain properties within the Township including the parcels identified as Block 5101, Lots 5.02, 6.02, and 7.02 on the Township’s tax maps and commonly known as 11 Access Road, 1570 S. Washington Avenue and 1596 S. Washington Avenue (collectively, the “**Redevelopment Area**”), as an “area in need of redevelopment,” as that term is defined under the Redevelopment Law; and

WHEREAS, by Ordinance #2021-01, adopted on January 26, 2021, the Township Council adopted a redevelopment plan (the “**Redevelopment Plan**”) which contains development standards for the Redevelopment Area (hereinafter, the “**Project Site**”); and

WHEREAS, on March 9, 2021, the Township Council adopted Resolution #21-140, designating the Duke Realty Washington Avenue Development, LLC (the “**Redeveloper**”) as “redeveloper” (as such term is defined in and permitted by the Redevelopment Law) of the Project Site and authorizing the execution of a redevelopment agreement in connection with the redevelopment thereof; and

WHEREAS, the Township and the Redeveloper thereafter executed a redevelopment agreement (the “**Redevelopment Agreement**”), pursuant to which Redeveloper agreed to redevelop the Project Site by constructing thereon a project consisting of an approximately 217,000 square foot warehouse distribution center and/or light manufacturing facility, including ancillary offices and related on-site and off-site improvements (the “**Project**”); and

WHEREAS, the Redeveloper is the Owner of the Project Site; and

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

WHEREAS, the Entity also submitted to the Mayor a form of financial agreement (the “**Financial Agreement**”), a copy of which is attached as *Exhibit 19* to the Application, establishing the rights, responsibilities and obligations of the Entity; and

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

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

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

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

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

Section 3. The Mayor is hereby authorized to execute the Financial Agreement substantially in the form attached as *Exhibit 19* to the Application, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.

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

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

Section 6. This ordinance shall take effect in accordance with applicable law.

Mr. Shah opened the Meeting to the Public for Comments.

Charlie Kratovil, New Brunswick Today, asked about long term tax exempt status on this property.

Jessica Kratovil, 1247 Brookside Rd, spoke on the long term tax exempt status on this property. There being no further comments, the public portion was closed.

RESOLUTION offered by Mr. Bullard, seconded by Mr. Rouse: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, NEW JERSEY AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT, BY AND BETWEEN THE TOWNSHIP AND DUKE REALTY WASHINGTON AVENUE URBAN RENEWAL, LLC, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40a:20-1 ET SEQ. was introduced on the 29th day of June, 2021 and had passed the first reading and was published on the 2nd day of July, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on July 13, 2021, 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. 2021-17.

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

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTIES IDENTIFIED AS BLOCK 3402, LOTS 5.01, 12.01 AND 13 IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY FOR PUBLIC PURPOSE PURSUANT TO N.J.S.A. 20:3-1, ET SEQ. RESOLUTION offered by Mrs. Cahill seconded by Mr. Uhrin, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTIES IDENTIFIED AS BLOCK 3402, LOTS 5.01, 12.01 AND 13 IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY FOR PUBLIC PURPOSE PURSUANT TO N.J.S.A. 20:3-1, ET SEQ. 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 10th day of August, 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. Cahill, Cahn, Rouse, Uhrin, and Shah answered yes. No vote from Mr. Bullard.

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 INTERNATIONAL AVENUE IN PISCATAWAY TOWNSHIP, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY RESOLUTION offered by Mr. Bullard seconded by Mr. Uhrin, 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 INTERNATIONAL AVENUE 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 10th day of August, 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. Cahill, Cahn, Rouse, Uhrin, and Shah answered yes. No vote from Mr. Bullard.

RESOLUTION #21-262

RESOLUTION offered by Mrs. Cahill, 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 July 13, 2021 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Award of Contract – Ambulance Services – 5 Years - HMH Hospitals Corporation d/b/a JFK University Medical Center – Not to Exceed \$1,018,890.00.
- b. RESOLUTION – Authorizing Award of Contract for Professional Construction Engineering Services – Metlar-Bodine House Museum Site Improvements – Grotto Engineering Associates, LLC – Not to Exceed \$15,000.00.
- c. RESOLUTION – Authorizing Release of Irrevocable Standby Letters of Credit – Off-Site Improvements – Adler Development Equity Company, LLC – Block 5101, Lots 1.01 and 4.02 – Corporate Place and Access Road.
- d. RESOLUTION – Authorizing Change Order No. 1 – Rehabilitation of Various Park Courts and Rinks 2021 – Dakota Excavating Contractor, Inc. – Not to Exceed \$5,400.00.
- e. RESOLUTION – Authorizing Return of Escrow Fees:
 - Connell Foley LLP – Block 7401, Lot 2.03 – 444 Hoes Lane.
 - Windels Marx Lane & Mittendorf, LLP – Block 7401, Lot 2.01 and Block 6201, Lot 6.01.
 - Ericsson Inc. – Block 7401, Lot 2.02 and Block 6201, Lot 6.01.
- f. RESOLUTION – Authorizing Return of Sterling Village Security Deposit:
 - Estate of Cecilia Johnson – Apt. 132
 - Louis Cooper – Apt. 237
- g. RESOLUTION – Authorizing Return of Performance Surety and Cash Bonds:
 - Block 6703, Lot 2.02 – 800 Centennial Avenue.
- h. RESOLUTION – Authorizing Change Order #4 – 2019-2021 Road Program for Curbs, Sidewalk, Driveway & ADA Ramps Improvements – New Prince Concrete Construction Co., Inc. – Not to Exceed \$40,616.28.
- i. RESOLUTION – Authorizing Submission of Grant Application and Execution of Grant Contract with NJDOT for Third Avenue Improvements Project.
- j. RESOLUTION – Authorizing Settlement Agreement between the Township of Piscataway, MSP Construction Corp and Maser Consulting (now Colliers) for the Cedarwood Drive Sanitary Sewer Replacement Project.
- k. RESOLUTION – Authorizing Professional Services for Sutphen Road Sanitary Sewer Improvements – CME Associates – Not to Exceed \$217,834.00.
- l. RESOLUTION – Authorizing Extension of Grace Period for Third Quarter Taxes.
- m. MOTION – Accept the Report of the Clerk’s Account – June 2021.
- n. MOTION – Accept Report of the Division of Revenue – June 2021.
- o. MOTION – Receive and Enter into Minutes Disbursements for the Month of June 2021.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that each of the above-listed Resolutions, Motions or Proclamations be approved and adopted by the Township Council, with the same legal effect as through each was read in its entirety at the July 13, 2021 Regular meeting and adopted by separate vote.

On roll call vote: Messrs. Cahill, Cahn, Rouse, Uhrin, and Shah answered yes. No vote from Mr. Bullard. The following are the Resolutions, typed in full, which were adopted by the foregoing consent agenda resolution:

RESOLUTION 21-263

WHEREAS, the Township of Piscataway (the "Township") previously authorized competitive contracting to obtain Emergency Medical Services – Ambulance Services (the "Services"); and

WHEREAS, on July 8, 2021, the Township received three (3) proposals for the Services; and

WHEREAS, the Township administration evaluated and scored the proposals and recommends awarding a five (5) year contract for the Services to HMM Hospitals Corporation d/b/a JFK University Medical Center, Edison, NJ, who submitted the highest scoring proposal, in the total amount not to exceed \$1,018,890.00, for the period from September 6, 2021 through September 5, 2026; and

WHEREAS, there is funding available pursuant to certification # B-2021-020;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to award a contract for the Emergency Medical Services – Ambulance Services to HMM Hospitals Corporation d/b/a JFK University Medical Center, Edison, NJ, who is the highest scoring proposal, in the total amount not to exceed \$1,018,890.00, for the period from September 6, 2021 through September 5, 2026.

RESOLUTION 21-264

WHEREAS, the Township of Piscataway requires Professional Construction Engineering Services for the Metlar-Bodine House Museum Site Improvements (the "Project"); and

WHEREAS, Grotto Engineering Associates, LLC, Cranford, NJ has submitted a proposal, dated June 23, 2021, for Professional Construction Engineering Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$15,000.00; and

WHEREAS, Grotto Engineering Associates, LLC, Cranford, NJ was previously qualified under the Fair and Open Process to provide professional services for Professional Engineering Services – Special Projects, Environmental, Etc., by the Township of Piscataway for 2021; and

WHEREAS, there is funding available pursuant to certification # R-2021-0078;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Grotto Engineering Associates, LLC, Cranford, NJ to provide Professional Construction Engineering Services for the Metlar-Bodine House Museum Site Improvements, at the rates set forth in said Proposal, with such services not to exceed \$15,000.00 in cost.

RESOLUTION 21-265

WHEREAS, on March 16, 2016 and March 23, 2016, Adler Development Equity Company, LLC, Edison, NJ posted Irrevocable Standby Letters of Credit with the Township of Piscataway in the amounts of \$5,524,165.20 and \$299,522.40, respectively, regarding Planning Board Application #15-PB-06/07V/09 for Block 5101, Lots 1.01 & 4.02 (Corporate Place & Access Road); and

WHEREAS, in accordance with Municipal Land Use Law (40:55D-53), the Township previously released 70% of said Irrevocable Standby Letters of Credit to Adler Development Equity Company, LLC; and

WHEREAS, pursuant to a Request for Release of Funds dated June 25, 2021 and a Memorandum from the Township Supervisor of Engineering dated June 25, 2021, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that all improvements required and covered have been satisfactorily installed; and

WHEREAS, the Township Supervisor of Engineering has further advised that the release of the remaining 30% of the Irrevocable Standby Letters of Credit be conditioned upon Adler Development Equity Company, LLC posting an Off-Site Improvements Maintenance Bond in the amount of \$37,440.30, an On-Site Perimeter Buffer Landscaping Maintenance Bond in the amount of \$38,884.95 and an On-Site Stormwater Management System Maintenance Bond in the amount of \$75,943.50, all to run for a period of two (2) years; 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 the remaining 30% of the Irrevocable Standby Letters of Credit, in the amounts of \$89,856.72 and

\$1,657,249.56, to Adler Development Equity Company, LLC, Edison, NJ, upon Adler Development Equity Company, LLC posting an Off-Site Improvements Maintenance Bond in the amount of \$37,440.30, an On-Site Perimeter Buffer Landscaping Maintenance Bond in the amount of \$38,884.95 and an On-Site Stormwater Management System Maintenance Bond in the amount of \$75,943.50, all to run for a period of two (2) years, regarding Planning Board Application #15-PB-06/07V/09.

RESOLUTION 21-266

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Dakota Excavating Contractor, Inc., Hackensack, NJ for the 2021 Rehabilitation of Various Park Courts and Rinks (the "Project"), in the amount not to exceed \$1,311,000.00; 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 Dakota Excavating Contractor, 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 \$5,400.00 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$1,316,400.00, a 0.4% 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 Landscape Architect, dated June 28, 2021, said Landscape Architect recommends approving Change Order No. 1; and

WHEREAS, funds are available pursuant to certification # B-2021-018-01;

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 2021 Rehabilitation of Various Park Courts and Rinks Project, from \$1,311,000.00, to a final total not to exceed \$1,316,400.00 and execute a Change Order in the amount of \$5,400.00, subject to all bid specifications and contract documents.

RESOLUTION 21-267

WHEREAS, on September 19, 2014, Ericsson Inc., Plano, TX posted an escrow check with the Township of Piscataway in the amount of \$5,000.00, regarding Block 7401, Lot 2.02 and Block 6201, Lot 6.01 (Ericsson Redevelopment Project); and

WHEREAS, pursuant to a Request for Release of Funds dated April 9, 2021 and a Memorandum from the Township Supervisor of Planning dated June 29, 2021, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees, in the amount of \$1,749.62, to Ericsson Inc., Plano, TX; and

WHEREAS, on April 19, 2013 and May 6, 2013, Windels Marx Lane & Mittendorf, LLP, New York, NY posted escrow checks with the Township of Piscataway in the amounts of \$1,000.00 and \$1,500.00, respectively, regarding Block 7401, Lot 2.01 and Block 6201, Lot 6.01; and

WHEREAS, pursuant to a Request for Release of Funds dated April 9, 2021 and a Memorandum from the Township Supervisor of Planning dated June 29, 2021, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees, in the amount of \$566.50, to Windels Marx Lane & Mittendorf, LLP, New York, NY; and

WHEREAS, on November 22, 2017, Connell Foley LLP, Roseland, NJ, posted an escrow check with the Township of Piscataway in the amount of \$2,500.00, regarding Block 7401, Lot 2.03 (444 Hoes Lane); and

WHEREAS, pursuant to a Request for Release of Funds dated April 9, 2021 and a Memorandum from the Township Supervisor of Planning dated June 29, 2021, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees, in the amount of \$2,500.00, to Connell Foley LLP, Roseland, 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 Ericsson Inc., Plano, TX, in the amount of \$1,749.62, regarding Block 7401, Lot 2.02 and Block 6201, Lot 6.01 (Ericsson Redevelopment Project); and

BE IT FURTHER RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release unexpended escrow

fees to Windels Marx Lane & Mittendorf, LLP, New York, NY, in the amount of \$566.50, regarding Block 7401, Lot 2.01 and Block 6201, Lot 6.01; and

BE IT FURTHER RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Connell Foley LLP, Roseland, NJ, in the amount of \$2,500.00, regarding Block 7401, Lot 2.03 (444 Hoes Lane).

RESOLUTION 21-268

WHEREAS, Louis H. Cooper requests the return of a Security Deposit in the amount of \$815.84 posted with the Township of Piscataway for Apartment 237 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit in the amount of \$816.75 (including accrued interest); and

WHEREAS, The Estate of Cecilia Johnson requests the return of a Security Deposit in the amount of \$998.43 posted with the Township of Piscataway for Apartment 132 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$998.43, less \$131.20 in back rent owed for June 2021, for a total amount to be released of \$868.34 (including accrued interest); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release said Security Deposit to Louis H. Cooper, in the amount of \$816.75 in regard to Apartment 237 at Sterling Village; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release said Security Deposit to The Estate of Cecilia Johnson, in the amount of \$868.34, and in the amount of \$131.20 to the Township of Piscataway for unpaid rent in regard to Apartment 132 at Sterling Village.

RESOLUTION 21-269

WHEREAS, on November 5, 2020, 800 Centennial Urban Renewal, LLC, C/O Penford Group, Gladstone, NJ posted a Performance Surety Bond in the amount of \$379,204.36 and Penford Group LLC, Oldwick, NJ posted Cash Bonds in the amounts of \$42,133.82 and \$0.10, regarding Planning Board Application #17-PB-20/30V/47/48V for Block 6703, Lot 2.02 (800 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated June 10, 2021 and a Memorandum from the Township Supervisor of Engineering dated June 24, 2021, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that all improvements required and covered have been satisfactorily installed; and

WHEREAS, the Township Supervisor of Engineering has further advised that the release of the Performance Surety and Cash Bonds be conditioned upon Penford Group LLC posting an Off-Site Improvements Bond in the amount of \$52,667.36, an On-Site Perimeter Buffer Landscaping Bond in the amount of \$39,372.56 and an On-Site Stormwater Management System Bond in the amount of \$38,120.25, all to run for a period of two (2) years; 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 the Performance Surety Bond in the amount of \$379,204.36 and Cash Bonds in the total amount of \$42,134.21 (including accrued interest), to Penford Group LLC, Oldwick, NJ, upon Penford Group LLC posting an Off-Site Improvements Maintenance Bond in the amount of \$52,667.36, an On-Site Perimeter Buffer Landscaping Maintenance Bond in the amount of \$39,372.56 and an On-Site Stormwater Management System Maintenance Bond in the amount of \$38,120.25, all to run for a period of two (2) years, regarding Planning Board Application #17-PB-20/30V/47/48V.

RESOLUTION 21-270

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

WHEREAS, the Township previously approved change orders in the amount of \$31,142.45, a 1.38% increase; and

WHEREAS, additional work is necessary for the Project that was not included in the original scope of work outlined by the Township and not anticipated in the proposal from New Prince Concrete Construction Co., Inc. to the Township for the Project; and

WHEREAS, this change order would represent a \$40,616.28 increase in the total amount of the Project from the previous total for a final cost not to exceed \$2,342,363.73, a 1.78 % increase from the original contract amount; and

WHEREAS, the total change orders amount to a 3.16% increase in the total contract amount; and

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

WHEREAS, pursuant to a Change Order Form, dated July 1, 2021, from the Township Supervisor of Engineering, the Township Supervisor of Engineering recommends that the Township approve Change Order Request No. 4; and

WHEREAS, funds are available pursuant to certification # R-2020-0007-04;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the Project with New Prince Concrete Construction Co., Inc., Hackensack, NJ from \$2,301,747.45 to a final total not to exceed \$2,342,363.73 and execute the enclosed Contract Change Order in the amount of \$40,618.28, subject to all bid specifications and contract documents.

RESOLUTION 21-271

WHEREAS, the Township of Piscataway wishes to obtain a grant from the New Jersey Department of Transportation (the "NJDOT") for the Third Avenue Improvements Project (the "Project"); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township Council formally approves the grant application for the above stated Project; and

BE IT FURTHER RESOLVED that the appropriate municipal officials and Clerk are hereby authorized to submit an electronic grant application identified as (MA-2022-Third Avenue Improvements - 00214) to the New Jersey Department of Transportation on behalf of the Township of Piscataway; and

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

RESOLUTION 21-272

WHEREAS, the Township of Piscataway (the "Township") wishes to enter into a Settlement Agreement with M.S.P. Construction Corp. and Maser Consulting (now Colliers) in regard to the Cedarwood Drive Sanitary Sewer Replacement Project; and

WHEREAS, the Township Attorney has reviewed the Settlement 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 and authorizes the execution of the Settlement Agreement in substantially the form attached hereto, subject to such final changes as may be approved by the Mayor upon advice of the Township Attorney; and

BE IT FURTHER RESOLVED that the appropriate municipal officials, the Township Attorney and the Mayor are hereby authorized to execute any such documents or take such actions as necessary as to effectuate the settlement agreement.

RESOLUTION 21-273

WHEREAS, the Township of Piscataway requires Professional Engineering Services for the Sutphen Road Sanitary Sewer Improvements (the "Project"); and

WHEREAS, CME Associates, Parlin, NJ, has submitted a proposal, dated July 8, 2021, for Professional Engineering Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$217,834.00; and

WHEREAS, CME Associates, Parlin, NJ, was previously qualified under the Fair and Open Process to provide professional services for Professional Engineering Services – Special Projects, Environmental, Etc. by the Township of Piscataway for 2021; and

WHEREAS, pursuant to a Recommendation to Award Contract, dated July 9, 2021, the Township Assistant Director of Public Works recommends awarding the contract for the Project to CME Associates; and

WHEREAS, there is funding available pursuant to certification # R-2021-0080;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize CME Associates, Parlin, NJ, to provide Professional Engineering Services for the Sutphen Road Sanitary Sewer Improvements Project, at the rates set forth in said Proposal, with such services not to exceed \$217,834.00 in cost.

RESOLUTION 21-274

WHEREAS, the Tax Collector was unable to issue Tax Bills for the Third and Fourth Quarters of 2021 due to delays in processing of the Tax Bills; and

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Piscataway that the Tax Collector is hereby authorized to extend the grace period for the Third Quarter Tax Bills from August 10, 2021 to August 25, 2021 or 25 days after the date of mailing whichever is later. After which time interest will be assessed at the rate already adopted by the Township from the due date of August 1, 2021; and

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

The following are the Disbursements for the month of June 2021

Continued on the next page

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Gabrielle Cahill spoke on event at YMCA
Council members and Mayor Wahler spoke about the passing of Jay Mody
Mr. Rouse spoke on the Senior activities in town.

The Council considered the matters on the Agenda for August 10, 2021:

- ORDINANCE – SECOND READING - Amending Chapter VII, Traffic, Section 40, Control for the Movement and the Parking of Traffic on Public and Private Property, to Assert Title 39 Jurisdiction on the Parking Lots Located at 475 Stelton Rd and 800 Centennial Avenue – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Authorizing Acquisition of Certain Properties Identified as Block 3402, Lots 5.01, 12.01 and 13 – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Authorizing Acquisition of Rights of Way, Easements and Land in Fee Simple for the Improvement of International Avenue – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- RESOLUTION – Authorizing Return of Street Opening Bond - Block 2102, Lot 28.01 – 7 Ruth Place.
- RESOLUTION – Authorizing Return of Soil Erosion/Sediment Control Bond – Block 8706, Lot 8 – 26 Brotherhood Street.
- RESOLUTION – Authorizing Return of Cash Bond – Block 8706, Lot 8 – 26 Brotherhood Street

OPEN TO PUBLIC:

Charlie Kratovil, New Brunswick Today, spoke on alleged ransomware attack
David Akins, Ambrose Valley Ln, asked about Halper Farm zoning
Brian Rak, 1247 Brookside Rd spoke on lack of transparency he feels is happening.
Jessica Kratovil, 1247 Brookside Rd, spoke on discourse with residents and council.
Sid Madison, 176 Blackford Ave, spoke on fossil fuel and climate change

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

Mayor Wahler addressed issues brought up by residents.

There being no further business to come before the council, the meeting was adjourned at 8:36pm carried unanimously.

Respectfully submitted,

Monica Orlando, Deputy Township Clerk

Accepted:

Kapil Shah
Council President