

September 1, 2020

A Regular Meeting of the Piscataway Township Council was held on September 1, 2020 via the telephone meeting format, Zoom. The meeting was called to order by Council President, Gabrielle Cahill, at 7:31 pm.

Mrs. Cahill made the following Statement, in compliance with the Open Public Meetings Act: Adequate notice of this meeting has been provided as required under Chapter 231, P.L. 1975, specifying the time, date, location and, to the extent known, the agenda by posting a copy of the notice on the Municipal Building, Municipal Court and the two Municipal Library Bulletin Boards, providing a copy to the official newspapers of the Township and by filing a copy in the office of the Township Clerk in accordance with a certification by the Clerk which will be entered in the minutes.

On roll call, there were present: Messrs. Bullard, Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill. Mrs. Cahill led the salute to the flag.

No comments from Administration and Council on the Adjournment of any Agenda items.

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

Ken Simmons, 113 Willow Avenue, asked about Item E. Mayor Wahler explained. There being no other comments this portion of the meeting was closed.

The Clerk read the following proclamation:

WHEREAS, every year thousands of children across the country are diagnosed with cancer; and
WHEREAS, childhood cancer is the leading cause of death by disease for children; and
WHEREAS, 1 in 285 children in the United States will be diagnosed with cancer by their 20th birthday; and

WHEREAS, in the last twenty years only four new drugs have been approved by the FDA to specifically treat childhood cancer; and

WHEREAS, two-thirds of childhood cancer patients will have chronic health conditions as a result of their treatment toxicity; and

WHEREAS, we recognize and commend the determination and bravery with which these children fight their battles against cancer; and

WHEREAS, we pay tribute to the families, friends, professionals and communities who lend their strength to children fighting cancer; and

WHEREAS, more must be done to raise awareness and find a cure;

NOW, THEREFORE BE IT RESOLVED, that I, Brian C. Wahler, Mayor and the Council of the Township of Piscataway, in the County of Middlesex, in the State of New Jersey do hereby proclaim September 2020 as **Childhood Cancer Awareness Month** and encourage all residents to support this cause that so deeply impacts families in every community across our country.

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

WHEREAS, the real property commonly known as a portion of 1518 Stelton Road, and designated as Lot 18 in Block 8403 on the current Tax Map of the Township of Piscataway, contains 1,371 square feet of land (the "Property"); and

WHEREAS, the Property is a vacant parcel with no improvements thereon; and

WHEREAS, the Property is no longer needed for municipal purposes; and

WHEREAS, the Township of Piscataway ("the Township") wishes to sell an easement through the Property with an option to purchase the Property in fee simple to the highest qualified bidder at an open public auction; and

WHEREAS, there are two parcels of land adjacent to the Property and each of the owners of these two parcels are the only qualified bidders; and

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

WHEREAS, the Appraisal of Real Estate prepared for the Property dated March 20, 2020 indicates a fair market value of \$8,200.00 for the fee simple interest in the Property; and

WHEREAS, the Township wishes to place certain conditions and restrictions upon the easement and option to purchase applicable to each bidder; and

WHEREAS, the conditions and restrictions to be imposed will include that the Property can never be subdivided, but must be consolidated with the adjacent tax lot of the successful bidder; that no habitable structures may be erected on the Property in the future; that all improvements which may be erected on the Property in the future must meet all of the zone requirements of the GB General Business zone or any successor zoning district in which the Property is located; that the Township will retain a Permanent Easement for Municipal Purposes on the Property of two and one-half feet in depth to create the minimum half-width of School Street established in the Traffic Circulation Element of the Township Master Plan and that the Township will also convey the Property subject to a five-foot deep Temporary Construction Easement, both easements along the entire School Street frontage of the Property for road or any other improvements at any time in the future; and

WHEREAS, the Township Council wishes to establish a minimum bid price of \$8,200.00 consistent with the appraised value; and

WHEREAS, the Township Council wishes to offer the Property for sale at open public auction with the reservations that the Township reserves the right to reject all bids where the highest bid is not accepted, and with further reservation that the highest bid may be accepted, or all of the bids may be rejected;

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that the Assistant Township Attorney is hereby authorized to conduct an open public auction sale of an easement through the Property with an option to purchase the fee simple interest in the Property limited to qualified bidders, in accordance with the requirements of N.J.S.A. 40A:12- 13(b)(5); to publish the required notices of the open public auction sale; and to enter into a contract for the sale of the Property to the highest bidder if the Township elects to accept the highest bidder;

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

All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency including but not limited to Ordinance 2020-16. In the event of any inconsistencies between the provisions of this Ordinance and any prior Ordinance of the Township, the provision hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

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

Mrs. Cahill opened the Meeting to the Public for Comments: **ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY, AUTHORIZING A PUBLIC BIDDING PROCESS FOR THE SALE OF AN EASEMENT THROUGH A PORTION OF BLOCK 8403, LOT 18.** There being no comments, the public portion was closed.

RESOLUTION offered by Mr. Shah, seconded by Mrs. Lombardi: **BE IT RESOLVED**, By the Township Council of Piscataway Township, New Jersey that: **ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY, AUTHORIZING A PUBLIC BIDDING PROCESS FOR THE SALE OF AN EASEMENT THROUGH A PORTION OF BLOCK 8403, LOT 18** was introduced on the 11th day of August, 2020 and had passed the first reading and was published on the 14th day of August, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on September 1, 2020, be adopted, passed, and after passage, be published, together with a notice of the date of passage or approval, in the official newspaper.

BE IT FURTHER RESOLVED that this Ordinance shall be assigned No. 2020-24.

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

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

BE IT ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey that Chapter XIV - Building, Section 14-3.4 Fees, is hereby amended to read as follows:

14-3.4 Fees

The Township of Piscataway shall charge application fees for a MCCO as follows:

MCCO – One or two family	\$150.00 per unit
MCCO – Three or more dwelling units	\$100.00 per unit
Temporary MCCO – One or two family dwellings and multiple dwelling units	\$125.00 per unit
Re-inspection fee – One and two family dwelling units (3rd or any additional inspections)	\$100.00 per inspection per unit
Re-inspection fee- multiple dwelling units (2nd or any additional inspections)	\$100.00 per inspection per unit

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

All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior Ordinance of the Township, the provision hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof. This Ordinance shall take effect immediately upon second reading, final passage and publication as required by law.

Mrs. Cahill opened the Meeting to the Public for Comments: ORDINANCE REGARDING RESIDENT CONNECTION TO PUBLIC WATER SUPPLY ON HAROLD PLACE, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY. There being no comments, the public portion was closed.

RESOLUTION offered by Mr. Bullard, seconded by Mr. Cahn: ORDINANCE AMENDING CHAPTER XIV (14) BUILDING OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY was introduced on the 11th day of August, 2020 and had passed the first reading and was published on the 14th day of August, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on September 1, 2020, be adopted, passed, and after passage, be published, together with a notice of the date of passage or approval, in the official newspaper.

BE IT FURTHER RESOLVED that this Ordinance shall be assigned No. 2020-25. On roll call vote: Messrs. Bullard, Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

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

WHEREAS, the recently constructed Piscataway Township Community Center will provide many, but not all recreational opportunities for Township residents; and

WHEREAS, expanding recreational opportunities for the users for the Piscataway Township Community Center is in the best interests of the residents of the Township; and

WHEREAS, it is necessary for the construction of additional recreational opportunities to acquire land in fee simple from certain properties.

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

As part of the construction of additional recreational opportunities for the Piscataway Township Community Center, it is necessary to acquire land in fee simple and all structures thereon, in the property designated as Lot 4 in Block 11303 on the Piscataway Township Tax Map, and commonly known as 616 Park Avenue.

The Township Council has determined that the acquisition of the aforesaid land interests is necessary for the safety of the public and conforms to the public interest.

The Assistant Township Attorney, or special counsel and such other appropriate officials as necessary be and are hereby authorized to acquire said land interests, either by negotiation or by instituting action by exercising the Township's right of eminent domain (condemnation).

Counsel for said acquisition, by negotiation or condemnation, shall commence and complete proceedings as expeditiously as possible, and said Assistant Township Attorney or special counsel, as the case may be, shall receive reasonable compensation for their services.

The Assistant Township Attorney and other appropriate officials be and are hereby authorized to hire and employ such appraisers, consultants and experts as may be appropriate to effectuate said acquisitions, whether by negotiation or eminent domain proceedings, and to pay said consultants and experts a reasonable fee for their services.

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

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

This Ordinance shall take effect twenty (20) days after the first publication thereof, by summary, after final passage, in the manner provided by law.

Mrs. Cahill opened the Meeting to the Public for Comments: ORDINANCE FOR THE ACQUISITION OF LAND IN FEE SIMPLE AND ALL STRUCTURES THEREON FOR THE SUPPORT OF THE COMMUNITY CENTER IN PISCATAWAY TOWNSHIP, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY. There being no comments, the public portion was closed.

RESOLUTION offered by Mrs. McCullum, seconded by Mr. Bullard: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that: ORDINANCE FOR THE ACQUISITION OF LAND IN FEE SIMPLE AND ALL STRUCTURES THEREON FOR THE SUPPORT OF THE COMMUNITY CENTER IN PISCATAWAY TOWNSHIP, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY was introduced on the 11th day of August, 2020 and had passed the first reading and was published on the 14th day of August, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on September 1, 2020, be adopted, passed, and after passage, be published, together with a notice of the date of passage or approval, in the official newspaper.

BE IT FURTHER RESOLVED that this Ordinance shall be assigned No. 2020-26.

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

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

WHEREAS, the Mayor and Township Council of Piscataway Township, Middlesex County, finds it in the interest of public safety to install Traffic Signals at the intersections of Stelton Road and Ethel Road and Stelton Road and Jesse Way; and

WHEREAS, the Township Engineer has submitted and certified all the legislative requirements pursuant to N.J.S.A. 39:4 and N.J.A.C. 16:27; and

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

1. That the intersections of Stelton Road and Ethel Road and Stelton Road and Jesse Way shall be controlled by Traffic Signals in accordance with the As-Built Traffic Signal Plans dated May 13, 2020 and As-Built Timing Directives bearing the date of May 13, 2020, prepared by Maser Consulting P.A.; and
2. That the Traffic Control Signal shall be in accordance with the provisions of the Manual on Uniform Traffic Control Devices, Title 39 of the Revised Statutes and the New Jersey Administrative Code, and shall be operated in conformance with the designated plans; and
3. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable; and
4. All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

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

Mrs. Cahill opened the Meeting to the Public for Comments: AN ORDINANCE APPROVING THE TRAFFIC SIGNAL IMPROVEMENTS FOR STELTON ROAD AND ETHEL ROAD AND STELTON ROAD AND JESSE WAY IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY. Mr. Patel from Justice St asked about the timing of the green light. There being no further comments, the public portion was closed.

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Cahn: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that: AN ORDINANCE APPROVING THE TRAFFIC SIGNAL IMPROVEMENTS FOR STELTON ROAD AND ETHEL ROAD AND STELTON ROAD AND JESSE WAY IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY was introduced on the 11th day of August, 2020 and had passed the first reading and was published on the 14th day of August, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on September 1, 2020, be adopted, passed, and after passage, be published, together with a notice of the date of passage or approval, in the official newspaper.

BE IT FURTHER RESOLVED that this Ordinance shall be assigned No. 2020-27. On roll call vote: Messrs. Bullard, Cahn, Lombardi, McCullum, Shah, Uhrin, and Cahill answered yes.

RESOLUTION #20-270

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Bullard, BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Revised General Ordinances of the Township of Piscataway permit the adoption of Resolutions, Motions or Proclamations by the Township Council of the Township of Piscataway as part of the Consent Agenda, upon certain conditions; and

WHEREAS, each of the following Resolutions, Motions or Proclamations to be presented before the Township Council at its September 1, 2020 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Renewal of Liquor Licenses.
- b. RESOLUTION – Authorizing Person to Person Transfer of Liquor License 1217-33-025-003 from GIOI Restaurant Group LLC to 1217-33-025-004 Piscataway 1 LLC.
- c. RESOLUTION – Approval of Soil Removal Permit No. 269 – Fresh Air Condos, LLC – 37 Old New Brunswick Road.
- d. RESOLUTION – Authorizing Release of Engineering and Inspection Fees:
 - RCS-LEG Piscataway – Block 3502, Lots 1.05, 6.04 & 6.05.
- e. RESOLUTION – Authorizing Chapter 159 – CARES Act - \$76,572.92.

- f. RESOLUTION – Authorizing Contract Amendment #3 – Piscataway Community Center – Lehrer Cumming – Not to Exceed \$60,000.00.
- g. RESOLUTION – Authorizing Change Order #4 – Piscataway Community Center – Terminal Construction – Not to Exceed \$50,000.00.
- h. RESOLUTION – Authorizing Emergency Purchase – Demolition of 595 Highland Ave – Central Jersey Wrecking & Recycling – Not to Exceed \$24,800.00.
- i. RESOLUTION – Authorizing Emergency Purchase – Demolition of 9 Woodrow Ave. – Central Jersey Wrecking & Recycling – Not to Exceed \$17,400.00.
- j. RESOLUTION – Authorizing Return of Performance Surety and Cash Bonds:
 - Kinkisharyo International, LLC – Block 3702, Lots 1.03, 1.04 and 1.05 – 145 Baekeland Avenue.
- k. RESOLUTION – Authorizing Person to Person Transfer of Liquor License 1217-33-028-002 from Briad Restaurant Group LLC t/a T.G.I. Friday’s to 1217-33-028-003 TGI Friday’s Inc. t/a T.G.I. Friday’s.
- l. RESOLUTION – Authorizing Cancellation of Interest Charges – LFO USA LLC – Block 9301, Lot 49.02 – 31 Gordon Road.
- m. RESOLUTION – Authorizing Award of Contract Under State Contract #89980 – Replacement and Upgrade of Patrol Vehicle MDTs – Wireless Communications and Electronics – Not to Exceed \$233,682.80.
- n. MOTION – Accept Report of the Division of Revenue – July 2020.
- o. MOTION – Receive and Enter into Minutes Disbursements for the Month of July 2020.
- p. MOTION – Accept Council Meeting Minutes for August 11, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that each of the above-listed Resolutions, Motions or Proclamations be approved and adopted by the Township Council, with the same legal effect as through each was read in its entirety at the September 1, 2020 Regular meeting and adopted by separate vote.

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

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

RESOLUTION #20-271

WHEREAS, the named businesses on the attached list, holders of liquor licenses in the Township of Piscataway, have applied for renewal of said licenses for the period commencing July 1, 2020 to June 30, 2021; and

WHEREAS, appropriate municipal officials have advised that all of the listed businesses have been inspected and, to the extent the licenses are operational, no violations of the New Jersey Alcoholic Beverage Code exist on the respective premises; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the said liquor licenses on the attached list be and the same are hereby renewed without special conditions for the period commencing July 1, 2020, until June 30, 2021 and the Township Clerk is hereby authorized to issue said renewals, with the exception of the following licenses:

- 1) JSM Investments at Piscataway, LLC – In pocket. Special Ruling received from the New Jersey Division of Alcoholic Beverage Control in July of 2018.
- 2) L&W Services, LLC – Inactive. Required Special Ruling not yet received from the New Jersey Division of Alcoholic Beverage Control.
- 3) PUNCHRATNA, Inc., t/a The Homestead Liquors – subject to Special Condition below; and

BE IT FURTHER RESOLVED that the license of PUNCHRATNA, Inc., t/a The Homestead Liquors, is hereby renewed for the period commencing July 1, 2020, until June 30, 2021, with the condition that the sale from the licensed premises of non-alcoholic beverage items to persons under 18 years of age is prohibited and the Township Clerk is hereby authorized to issue said renewal; and

BE IT FURTHER RESOLVED that the license of JSM Investments at Piscataway, LLC, is hereby renewed for the period commencing July 1, 2020, until June 30, 2021, pursuant to N.J.S.A. 33:1-12.39, which Special Ruling was granted in July of 2018.

RESOLUTION #20-272

WHEREAS, GIOI Restaurant Group LLC is currently the holder of Liquor License Number 1217-33-025-003 (the “License”) within the Township of Piscataway; and

WHEREAS, the Administration has been advised that GIOI Restaurant Group LLC has requested approval of a person-to-person transfer of the License to Piscataway 1 LLC; and

WHEREAS, the Township of Piscataway Police Department completed a background investigation of the principals of Piscataway 1 LLC, which did not disclose any violations or inconsistencies that would prohibit said transfer; and

WHEREAS, pursuant to a Memorandum dated August 11, 2020 from the Township of Piscataway Police Department, said transfer is approved; and

WHEREAS, the Township Council of the Township of Piscataway finds that it is in the public benefit to promote the active use of the liquor licenses within the Township; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the request for the person-to-person transfer of Plenary Retail Consumption License Number 1217-33-025-003 to be regenerated as Plenary Retail Consumption License Number 1217-33-025-004 from GIOI Restaurant Group LLC to Piscataway 1 LLC be and is hereby approved, and the appropriate municipal officials are hereby authorized to execute all documents necessary to effectuate the transfer of the license.

RESOLUTION #20-273

WHEREAS, on August 11, 2020, Fresh Air Condos, LLC, Middlesex, NJ submitted an application with the Township of Piscataway (the “Township”) for Soil Removal Permit #269 regarding improvements for Block 2101, Lot 9.04 (37 Old New Brunswick Road); and

WHEREAS, pursuant to a Memorandum dated August 12, 2020, the Township Landscape Architect advised that Fresh Air Condos, LLC, Middlesex, NJ posted the required \$1,000.00 performance bond to guarantee enough topsoil is left for the project site; and

WHEREAS, pursuant to said Memorandum, a copy of which is attached hereto and made a part hereof, said Township Landscape Architect further advised that the Soil Removal Permit and the Applicant Engineer’s August 11, 2020 letter, confirming the excess soil quantities, were reviewed and found to be in order and recommended that the Soil Removal Permit be granted; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to approve the Soil Removal Permit Application and issue Soil Removal Permit #269 to Fresh Air Condos, LLC, Middlesex, NJ.

RESOLUTION #20-274

WHEREAS, Rockefeller Group Development Corporation, New York, NY has completed their project on Block 3502, Lots 1.05, 6.04 & 6.05 (River Road, Baekeland Ave, Normandy Dr., Hancock Rd., Lilac Way, Wisteria Ct., and Ballas Ln); and

WHEREAS, pursuant to a Request for Release of Funds dated August 6, 2020 and a Memorandum from the Township Supervisor of Engineering dated August 7, 2020, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$159,152.26 be returned to Rockefeller Group Development Corporation, New York, NY; 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 Rockefeller Group Development Corporation, New York, NY, in the amount of \$160,593.67 (including accrued interest), regarding Block 3502, Lots 1.05, 6.04 & 6.05 (River Road, Baekeland Ave, Normandy Dr., Hancock Rd., Lilac Way, Wisteria Ct., and Ballas Ln).

RESOLUTION #20-275

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 **\$76,572.92** from the **United States Department of Treasury, Pass through County of Middlesex, State of New Jersey** and wishes to amend its **Calendar Year 2020** Budget to include this amount as revenue, and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Piscataway in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year **Calendar Year 2020**:

<i>Amount Received for</i>	
<i>"CARES Act" Coronavirus Aid, Relief & Security Act</i>	<i>\$76,572.92</i>

BE IT FURTHER RESOLVED that the like sum of \$76,572.92 is hereby appropriated under the caption of:

<i>"CARES Act" Coronavirus Aid, Relief & Security Act</i>	<i>\$76,572.92</i>
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BE IT FURTHER RESOLVED, that the Director of Finance forward a certified copy of this resolution electronically to the Director of Local Government Services.

RESOLUTION #20-276

WHEREAS, Cumming Construction Management, Inc, was awarded a contract for Construction Management Services in regard to the Community and Cultural Arts Center Contract ("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 Cumming Construction Management, Inc.'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, Cumming Construction Management, Inc. merged with Lehrer, LLC to form Lehrer Cumming; and

WHEREAS, the Business Administrator has reviewed the contract amendment request from Lehrer Cumming dated August 17, 2020, a copy of which is attached hereto and made a part hereof, recommends approval of same; and

WHEREAS, there is funding available pursuant to certification # R-2018-0088-02;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount with Lehrer Cumming from **\$671,252.00 to \$731,252.00** an increase of not to exceed \$60,000.00, due to unanticipated work required for the Community and Cultural Arts Center Contract, subject to all bid specifications and contract documents.

RESOLUTION #20-277

WHEREAS, Terminal Construction Corporation, Wood-Ridge, NJ was awarded a contract for the Construction of the Piscataway Community and Cultural Arts Center (the "Project"), in an amount not to exceed \$30,610,000.00; and

WHEREAS, the Township previously approved change orders in the amount of \$4,266,409.37, a 13.94% 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 Terminal Construction Corporation to the Township for the Project; and

WHEREAS, this change order would represent a \$50,000.00 increase in the total amount of the Project from the previous total for a final cost not to exceed \$34,926,409.40, a 0.16% increase based on the original contract amount; and

WHEREAS, the total change orders amount to a 14.10% 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 Proposal from Lehrer Cumming, dated August 17, 2020, from Lehrer Cummings, it is recommended that the Township approve Change Order Request No. 4; and

WHEREAS, funds are available pursuant to certification # B-2018-035-04;

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 Terminal Construction Corporation, Wood-Ridge, NJ from \$34,876,409.40 to a final total not to exceed \$34,926,409.40 and execute the enclosed Contract Change Order in the amount of \$50,000.00, subject to all bid specifications and contract documents.

RESOLUTION #20-278

WHEREAS, the current condition of the property located at 595 Highland Avenue, Piscataway, NJ, constitutes an emergency affecting the public health, safety or welfare of the residents of the Township; and

WHEREAS, N.J.S.A. 40A:11-6 allows the Township to award emergency contracts where it affects the public health, safety or welfare; and

WHEREAS, in order to protect the health, safety and welfare of the general public the Township has decided to demolish the above referenced property; and

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

WHEREAS, the Property Maintenance Supervisor recommends that a purchase order for Central Jersey Wrecking & Recycling, Inc., North Brunswick, NJ be created for an amount not to exceed \$24,800.00; and

WHEREAS, funds are available pursuant to certification # R-2020-0097;

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 execute an emergency contract with Central Jersey Wrecking & Recycling, Inc., North Brunswick, NJ, for emergency demolition of the property located at 595 Highland Avenue, Piscataway, NJ in the amount not to exceed \$24,800.00, subject to all contract documents.

RESOLUTION #20-279

WHEREAS, the current condition of the property located at 9 Woodrow Avenue, Piscataway, NJ, constitutes an emergency affecting the public health, safety or welfare of the residents of the Township; and

WHEREAS, N.J.S.A. 40A:11-6 allows the Township to award emergency contracts where it affects the public health, safety or welfare; and

WHEREAS, in order to protect the health, safety and welfare of the general public the Township has decided to demolish the above referenced property; and

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

WHEREAS, the Property Maintenance Supervisor recommends that a purchase order for Central Jersey Wrecking & Recycling, Inc., North Brunswick, NJ be created for an amount not to exceed \$17,400.00; and

WHEREAS, funds are available pursuant to certification # R-220-0098;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to execute an emergency contract with Central Jersey Wrecking & Recycling, Inc., North Brunswick, NJ, for emergency demolition of the property located at 9 Woodrow Avenue, Piscataway, NJ in the amount not to exceed \$17,400.00, subject to all contract documents.

RESOLUTION #20-280

WHEREAS, Kinkisharyo International, LLC, Piscataway, NJ, requests the release of a Performance Surety Bond in the original amount of \$1,395,000.00 and a Cash Bond in the

original amount of \$13,443.00, which were posted with the Township of Piscataway on September 20, 2016 and September 22, 2016, respectively, regarding improvements for Block 3702, Lot 1.03, 1.04 and 1.05 (145 Baekeland Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated August 18, 2020 and a letter from the Township Supervisor of Engineering dated August 18, 2020, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that all improvements required and covered have been satisfactorily installed and a release of said Bonds is appropriate at this time in accordance with the provision of the Municipal Land Use Law (40:55D-53); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to return said Performance Surety Bond in the amount of \$1,395,000.00 to Kinkisharyo International, LLC, Piscataway, NJ and said Cash Bond in the amount of \$13,608.21 to Kinkisharyo International, LLC, Piscataway, NJ, regarding improvements for Block 3702, Lot 1.03, 1.04 and 1.05 (145 Baekeland Avenue).

RESOLUTION #20-281

WHEREAS, Briad Restaurant Group LLC is currently the holder of Liquor License Number 1217-33-028-002 (the "License") within the Township of Piscataway; and

WHEREAS, the Administration has been advised that Briad Restaurant Group LLC has requested approval of a person-to-person transfer of the License to TGI Friday's Inc.; and

WHEREAS, the New Jersey Division of Alcoholic Beverage Control completed a background investigation of the officers of TGI Friday's Inc., which did not disclose any violations or inconsistencies that would prohibit said transfer; and

WHEREAS, the Township Council of the Township of Piscataway finds that it is in the public benefit to promote the active use of liquor licenses within the Township; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the request for the person-to-person transfer of Plenary Retail Consumption License Number 1217-33-028-002 to be regenerated as Plenary Retail Consumption License Number 1217-33-028-003 from Briad Restaurant Group LLC to TGI Friday's Inc. be and is hereby approved, and the appropriate municipal officials are hereby authorized to execute all documents necessary to effectuate the transfer of the license.

RESOLUTION #20-282

WHEREAS, the Tax Collector is requesting authorization to cancel interest charged as listed below.

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
9301	49.02		LFO USA LLC 31 GORDON RD	2020	1007.28	Failure to update the mailing address on 1/9/20

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

RESOLUTION #20-283

WHEREAS, the Township of Piscataway Police Department is in need of Replacement and Upgrade of Patrol Vehicle MDTs ("Equipment and Maintenance"); and

WHEREAS, the Township of Piscataway Chief of Police recommends awarding a contract for the Equipment and Maintenance, through NJ State Contract #89980, to Wireless Communication and Electronics, West Berlin, NJ in the amount not to exceed \$223,682.80; and

WHEREAS, there is funding available pursuant to certification # R-2020-0099;

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 Wireless Communication and Electronics, West Berlin, NJ for the Replacement

and Upgrade of Patrol Vehicle MDTs, in the amount not to exceed \$223,682.80, through NJ State Contract #89980.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Mayor Wahler reminded everyone to fill out Census.

Mrs. Cahill spoke about residents navigating public school remote learning.

Mrs. McCullum sends thoughts to families of shooting victims in Wisconsin.

The Council considered the matters on the Agenda session:

- RESOLUTION – Authorizing Return of Performance Surety and Cash Bonds - Ring Power Corporation - Block 4301, Lot 8.03 – 250 Circle Drive North.
- RESOLUTION – Authorizing Return of Sterling Village Security Deposit – Marie Auteri – Apt. 438.
- MOTION – Accept the Report of the Clerk’s Account – August 2020.
- MOTION – Accept Report of the Division of Revenue – August 2020.
- MOTION – Receive and Enter into Minutes Disbursements for the Month of August 2020.

OPEN TO PUBLIC:

Mr. Patel, 47 Cumberland Rd, asked about reconstruction of sidewalks needed in his area.

Mayor Wahler stated 2021 for Hanover and Cumberland and engineering is in the process of design.

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

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

Gabrielle Cahill
Council President