

**NORTH BRUNSWICK TOWNSHIP
REGULAR COUNCIL MEETING**

March 18, 2013

1. Call to Order, Roll Call & Cell Phone Statement
2. Devices for the hearing impaired are available in the cable studio
3. Sunshine Notice
4. Pledge of Allegiance

5. Proclamation: Earth Hour – Saturday, March 23, 2013 at 8:30 PM – 9:30 PM
6. **Consent Agenda:**
 - a. NJ State Fireman's Association Application / Darnel Felton / Company No. 3
 - b. NJ State Fireman's Association Application / Matthew Roseborough / Company # 3
 - c. Authorizing the reinstatement of installment payments for property owners within Belcourt at Hidden Lake for Water Service Project _____ 95-3.13
 - d. Canceling \$1,795,691.63 of the residual balance of various Bond Ordinances _____ 96-3.13
 - e. Accepting a donation of Ten Thousand dollars (10,000.00) from a Township business _____ 97-3.13
 - f. Grant Agreement between North Brunswick Township and The State of New Jersey by and for the Department of Environmental Protection – 2013 Clean Communities Grant _____ 98-3.13
 - g. Authorizing the redemption of various Third Party Liens _____ 99-3.13
 - h. Approving applicants for Initial Taxi Owner's License _____ 100-3.13
 - i. Authorizing a Road Closing on Finnigans Lane _____ 101-3.13
 - j. Opposing New Jersey Legislature Bill #S-2114?a-3317 which shall preempt Municipal Ordinances requiring registration for Multi-Family Dwellings _____ 102-3.13
 - k. Authorizing a Collective Bargaining Agreement between the Township of North Brunswick and RWDSU Local 108 Clerical Division _____ 103-3.13
 - l. Item of revenue in budget (Chapter 159)
 - i. State of New Jersey Forestry Services Green Communities 2013 - \$3,000.00 _____ 104-3.13
 - m. Authorizing a Change In Scope to the PSA with the following:
 - i. JM Sorge, Inc. appointed as one of the 2013 Environmental Engineering firms to include service associated with NJDEP Remediation requirements at 45 Quarry Lane – Public Works Facility _____ 105-3.13
 - ii. CME Associates appointed as the 2013 Township Consulting Engineers to include Construction Administration and Record Drawing Services for the 2013 Road Program _____ 106-3.13
 - n. Authorizing Award of Contract BID13001 to Lucas Brothers, Inc. for the 2013 Road Improvements Program _____ 107-3.13
 - o. Authorizing the advertisement for receipt of Bids under the Department of Public Works for Sewer Collection System Maintenance and Repair _____ 108-3.13
 - p. Authorizing acceptance and utilization of Community Development Block Grant (CDBG) Funds _____ 109-3.13
 - q. Authorizing an agreement with BJ's Wholesale Club to implement the requirements of a resolution of the Township of the North Brunswick Planning Board, dated March 12, 2013 approving the amendments Preliminary and Final Site Plan For Block 4.46, Lots 1.01, 1.02 & 1.04 _____ 110-3.13
 - r. Payment of bills _____ 111-3.13

7. Approval of minutes: Regular Council Meeting / March 4, 2013

8. **Ordinance / Second Reading / Public Hearing:**

#13-04 – Ordinance of the Township Council of North Brunswick authorizing the execution of a License Agreement between the National Railroad Passenger Corporation (AMTRAK) and the Township of North Brunswick

#13-05 – An Ordinance authorizing the execution of a Financial Agreement with North Brunswick Crescent Urban Renewal, LLC for an Urban Renewal Project located at Crescent Court, North Brunswick, Middlesex County, New Jersey

9. Reports from Mayor, Council, Administrator, CFO
10. Public Hearing
11. Adjourn

13-04

ORDINANCE # 13- DRAFT

**ORDINANCE OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT BETWEEN
THE NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK) AND
THE TOWNSHIP OF NORTH BRUNSWICK**

WHEREAS, the Township of North Brunswick and National Railroad Passenger Corporation (Amtrak) entered into a License Agreement dated July 29, 1988 for the placement of one 20 inch diameter class cement lined ductile iron sanitary sewerage force main installed within a 36 inch diameter steel pipe casing jacked/bored under the existing railroad facilities for a distance of 100 feet and an open cut installation of the 20 inch force main across property not encumbered by railroad facilities for a distance of 271 feet, and 2 utility warning signs, located at MP 34.92+ in North Brunswick, New Jersey Tenant Account #29-04-499 (the Agreement); and

WHEREAS, the term of the Agreement expires on April 14, 2013; and

WHEREAS, the Township of North Brunswick desires to enter into a new Agreement for the same purposes set forth hereinabove for a twenty-five (25) year term with a one-time lump sum payment of \$35,875.00 for such twenty-five (25) year term, with an additional one-time administrative fee of Five Hundred Dollars (\$500.00); and

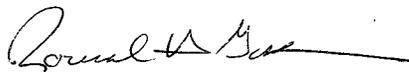
WHEREAS, it is in the best interests of the welfare of the citizens of the Township, to enter into such License Agreement with Amtrak.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of North Brunswick in the County of Middlesex and the State of New Jersey that the Mayor, Francis Womack, is hereby authorized to execute and the Township Clerk, Lisa Russo, to witness, a License Agreement between the Township of North Brunswick and Nation Railroad Passenger Corporation (Amtrak) for the continued placement and use of the sewer main located under and across the tracks and property of Amtrak at Rail MP 39.2+ in North Brunswick, New Jersey Amtrak Tenant Account #29-04-499, such Agreement subject to the review and approval if the Township Attorney for a twenty-five (25) year term with a one-time lump sum payment of \$35, 875.00 for such twenty-five (25) year term of occupancy, with an additional one-time administrative fee of Five Hundred Dollars (\$500.00).

TITLE

This Ordinance shall be known and may be cited as the Ordinance Authorizing a License between the Township of North Brunswick and Amtrak for a sewer main located on Amtrak property in the Township of North Brunswick.

Robert Lombard
Business Administrator



Ronald H. Gordon, Esq.
Township Attorney
Approved as to legal form

RECORDED VOTE

3-4-13

COUNCIL MEMBER	YES	NO
NARRA 1	✓	
NICOLA	✓	
ANDREWS	✓	
CORBIN	✓	
SOCIO 2	✓	
DAVIS	✓	
MAYOR WOMACK		

COUNCIL MEMBER	YES	NO
NARRA		
NICOLA		
ANDREWS		
CORBIN		
SOCIO		
DAVIS		
MAYOR WOMACK		

#13-05

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A
FINANCIAL AGREEMENT WITH NORTH BRUNSWICK CRESCENT URBAN
RENEWAL, LLC FOR AN URBAN RENEWAL PROJECT LOCATED AT
CRESCENT COURT, NORTH BRUNSWICK, MIDDLESEX COUNTY, NEW JERSEY**

WHEREAS, the Township Council of the Township of North Brunswick ("Township") has adopted an ordinance approving and adopting the Oak Leaf Village Redevelopment Plan (the "Redevelopment Plan") in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Redevelopment Law") for the redeveloper, North Brunswick Crescent Urban Renewal, LLC; and

WHEREAS, the Redevelopment Plan relates to certain properties within the Township of North Brunswick, specifically, Crescent Court, North Brunswick New Jersey, more particularly known and referred to as Block 30, Lot 2.01 on the Official Tax Map of the Township of North Brunswick, County of Middlesex, State of New Jersey (the "Redevelopment Area"); and

WHEREAS, North Brunswick Crescent Urban Renewal, LLC is a New Jersey Limited Liability Company and an urban renewal entity ("NB Crescent") qualified to do business under the provisions of the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.; and

WHEREAS, NB Crescent has made application to the Township of North Brunswick ("Township") for a grant of a Long Term Tax Exemption for its urban renewal project consisting of 184 units of low and moderate income housing, all of which shall be restricted for use by households earning 60% or less of the area median income, located at Crescent Court, North Brunswick New Jersey, also known as North Brunswick Crescent, Block 30, Lot 2.01 on the Official Tax Map of the Township of North Brunswick, New Jersey ("Project"); and

WHEREAS, pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., NB Crescent has submitted a written application ("Application") attached hereto and made a part hereof as Exhibit "A" and form of financial agreement ("Financial Agreement") to the Township for approval of a long term tax exemption for improvements to be constructed in connection with the Project, attached hereto and made a part hereof as Exhibit "B"; and

WHEREAS, the Township Administration and Council have determined that the Project would fulfill a public purpose and fulfill the Township's Affordable Housing obligations by providing additional low and moderate income housing within the Township; and

WHEREAS, the Township will receive stable, ascertainable, long term payments in lieu of taxes from NB Crescent, totaling not less than \$254,724.00 per year during the first 30 years of operation of the Project; and

WHEREAS, pursuant to N.J.S.A. 40A:20-8, the Township Administration and Council have reviewed NB Crescent's Application and the proposed Financial Agreement and finds same to be acceptable and in compliance with the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. and recommends that the Application be approved and the Financial Agreement be entered into with NB Crescent for the grant of a Long Term Tax Exemption in connection with the Project.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey that the Exemption Application as described and defined hereinabove and attached hereto as Exhibit "A", is hereby authorized, accepted and approved; and

BE IT FURTHER ORDAINED, that the Financial Agreement as described and defined hereinabove be and is hereby authorized to be executed and delivered on behalf of the Township of North Brunswick by the Mayor in substantially the form attached hereto as Exhibit "B", with such changes as the Mayor in his sole discretion, after consultation with such counsel and any advisors to the Township of North Brunswick (collectively, the "Township Consultants") shall determine, such determination to be conclusively evidenced by the execution of the Financial Agreement by the Mayor as determined hereunder, and that the Township Clerk is hereby authorized and directed to attest to the execution of the Financial Agreement by the Mayor as

RESOLUTION 05-313

RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK AUTHORIZING THE REINSTATEMENT OF INSTALLMENT PAYMENTS FOR PROPERTY OWNERS WITHIN BELCOURT AT HIDDEN LAKE FOR WATER SERVICE PROJECT

WHEREAS, the Township Council of the Township of North Brunswick, County of Middlesex, has previously authorized and established a Local Improvement Assessment for the property owners of Belcourt at Hidden Lake for water service improvements within the development; and

WHEREAS, the installment payment for the Local Improvement Assessment was due January 3, 2013, and pursuant to N.J.S.A.40:56-35, any property owner who fails to pay their installment by the due date of any bill, requires that the full assessment shall be due to and payable, but this same legislation authorizes that a delinquent property owner may petition the Governing Body and the Governing Body may agree to reinstate the installment agreement for a property owner in such situations, provided the property owner pays the delinquent installment amount plus interest, and

WHEREAS, the Tax Collector has received written request(s) from property owners at Belcourt at Hidden Lake per the attached list to have their installment plans reinstated and have understood and agreed to comply with the conditions of the statute for reinstatement;

NOW THEREFORE, BE IT RESOLVED the Township Council of the Township of North Brunswick, in the County of Middlesex, and the State of New Jersey, does hereby approve the reinstatement of the property owners on the attached listing to the installment plan for the Local Improvement Assessment for Belcourt at Hidden Lake provided they comply with the terms of reinstatement.

Robert Lombard
Business Administrator

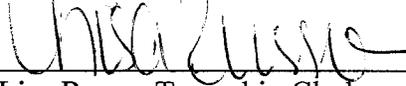
Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

ROLL CALL:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
NICOLA				
ANDREWS				
CORBIN				
SOCIO				
DAVIS				
WOMACK				

CERTIFICATION

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on March 18, 2013.


Lisa Russo, Township Clerk

C: F. Ciprot
H. Hammonshorn

**RESOLUTION CANCELING
\$1,795,691.63 OF THE RESIDUAL
BALANCE OF VARIOUS BOND
ORDINANCES**

WHEREAS, there exists \$1,795,691.63 of unencumbered balances remaining in certain capital improvement authorizations contained within Ordinance # 97-24 totaling \$4,502.52, Ordinance # 99-13 totaling \$ 6,875.37, Ordinance # 00-28 totaling \$ 76,561.61, Ordinance # 02-38 totaling \$ 7,752.13 and Ordinance #06-15 totaling \$ 1,700,000 that are no longer required for its original purposes, and

WHEREAS, it is now the desire of the Township Council of the Township of North Brunswick to cancel said \$1,795,691.63 capital improvement authorization balances, thereby reducing the Township's net debt authorized by \$1,783,436.98 and transferring \$ 12,254.65 into Capital Surplus

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of North Brunswick, New Jersey, that the \$1,795,691.63 of authorized debt originally authorized and appropriated by ordinances #97-24, 99-13, 00-28, 02-38, 06-15 of the Township of North Brunswick, New Jersey are hereby canceled

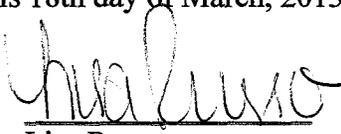

Kala Sriranganathan, CFO

Robert Lombard
Business Administrator

Ronald Gordon, Esq.
Township Attorney

CERTIFICATION

I hereby certify that the foregoing is a true copy of a Resolution passed by the Township Council of the Township of North Brunswick at a meeting duly held on this 18th day of March, 2013.


Lisa Russo
Township Clerk

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
MS. NARRA				
MS. NICOLA				
MR. ANDREWS				
MR. CORBIN				
MR. SOCIO				
MR. DAVIS				
MAYOR WOMACK				

c: K. Sriranganathan

**RESOLUTION ACCEPTING A DONATION
OF TEN THOUSAND DOLLARS (\$10,000.00)
FROM A TOWNSHIP BUSINESS**

WHEREAS, N.J.S.A. 40A: 5-29 permits municipalities to accept bequests, legacies and gifts made to it and is empowered to utilized such bequests, legacies and gifts in the manner set forth in the conditions of the bequest, legacy or gift, provided, however, that such bequests, legacy or gift shall not be put to any use which is inconsistent with the laws of this State and of the United States; and

WHEREAS, a Township business has donated \$10,000.00 to the Department of Public Safety without any conditions attached to the use of these funds. The Department of Public Safety shall use these funds in a manner which is consistent with the laws of The State of New Jersey and of the United States;

NOW THEREFORE BE IT RESOLVED, on this 18th day of March, 2013 the Mayor and Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey, hereby expresses its gratitude and accepts the donation of a Ten Thousand dollar (\$10,000.00) check.

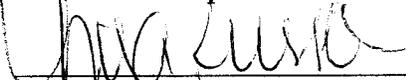


Kala Sriranganathan
Chief Financial Officer

Ronald Gordon, Esq.
Township Attorney

Robert Lombard
Business Administrator

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Township Council of the Township of North Brunswick at a meeting held on March 18, 2013.



Lisa Russo
Municipal Clerk

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
MS. NARRA				
MS. NICOLA				
MR. ANDREWS				
MR. CORBIN				
MR. SOCIO				
MR. DAVIS				
MAYOR WOMACK				





98-313

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NEW JERSEY STATE FORESTRY SERVICES
MAIL CODE 501-04
PO Box 420
TRENTON, NJ 08625-0420
TEL: 609-292-2532 FAX: 609-984-0378

CHRIS CHRISTIE
Governor

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

Instructions

DO FIRST

Governing Body Resolution (GBR) instructions:

Attached, is the GBR, do not edit or change format it will only be accepted in the form it is in. Non-compliance with this will void the grant. The resolution was filled out based on the application information.

1. Please fill in the remaining blanks of your GBR.
2. Have the GBR voted on.
3. Then have the resolution certifier sign, date, and provide a raised seal (raised seal is optional but recommended).
4. Send an original GBR with the optional raised seal with the signed Grant Agreement as followed below.

NEXT

Grant Agreement instructions:

To expedite this matter, please follow the steps below carefully and return all the documents promptly to the Community Forestry Program address below.

1. Have the authorized municipal official sign and date all 3 copies of Page 2 on the line above where the name is typed as soon as reasonably possible, and after the resolution is passed.
 - a. **DO NOT use a signature stamp** in place of an original signature.
 - b. If a new authorized municipal official has been appointed to the listed position that executes the grant since the resolution was signed, then draw 1 line through the previous municipal official's name. **DO NOT use white-out.** Then have the new authorized municipal official sign their name and list their job title.
 - c. If your municipality does any lobbying please contact me before signing this document.
2. (Optional) Have the municipal or corporate attorney sign the same three copies of Page 2 as to their approval of the form in the designated space. This is optional but is a requirement of some New Jersey municipalities.
3. Mail your original signed grant agreement and resolution to:
Mail Code 501-04
Green Communities 2013 Grant
DEP- New Jersey State Forestry Services
PO Box 420
Trenton, NJ 08625-0420

C. M. Tacinelli
A. Sandoz

**RESOLUTION AUTHORIZING THE
REDEMPTION OF VARIOUS THIRD PARTY LIENS**

WHEREAS, the Township of North Brunswick has received the amount necessary to redeem certain liens held by third parties; and

WHEREAS, the liens that have been redeemed as certified by the Tax Collector are on the list that is attached and a part of this resolution;

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey that the Treasurer and Tax Collector are hereby authorized and directed to send payment for redemption and premiums, if applicable, to the lien holders stated on the attached list, once the tax sale certificate, endorsed for cancellation, has been received.

Laurie K. Hammarstrom
Laurie K. Hammarstrom
Tax Collector

Kala Sriranganathan
Kala Sriranganathan
Chief Financial Officer

Robert Lombard
Township Administrator

Ronald Gordon, Esq.
Township Attorney
Certified as to Form

ROLL CALL

NAME	YES	NO	ABSTAIN	
Ms. Narra				
Ms. Nicola				
Mr. Andrews				
Mr. Corbin				
Mr. Socio				
Ms. Davis				
Mayor Womack				

I hereby certify the foregoing to be a true copy of a resolution adopted by the North Brunswick Township Council at a meeting held on March 18, 2013.

Lisa Russo
Lisa Russo
Municipal Clerk

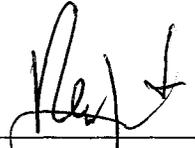
*c: L. Hammarstrom
K. Sriranganathan*

RESOLUTION APPROVING APPLICANTS FOR INITIAL TAXI OWNER'S LICENSE

WHEREAS, the Township of North Brunswick tax ordinance provides that the Township Council approve applicants for taxi owner's license; and

Whereas, an application has been made and satisfactory reports have been received by the Director of Public Safety and the Zoning Officer for the issuance of taxi owner's license for the following individual:

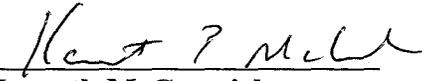
<u>NAME</u>	<u># OF LICENSES</u>	<u>CENTRAL PLACE OF BUSINESS</u>
Valentin Bautista PRIMOS TAXI	3	514 Georges Road North Brunswick, NJ 08902



 Robert Lombard
 Business Administrator



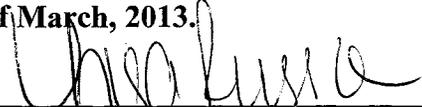
 Ronald Gordon
 Township Attorney
 Approved as to legal form



 Kenneth McCormick
 Director of Public Safety

CERTIFICATION

I, Lisa Russo, Clerk of the Township of North Brunswick do hereby certify that the foregoing is a true copy of a Resolution passed by the TOWNSHIP COUNCIL of the TOWNSHIP OF NORTH BRUNSWICK at a meeting duly held on the 18th day of March, 2013.



 Lisa Russo, Municipal Clerk

NAME	YES	NO	ABSTAIN	NOTES
NARRA	✓			
NICOLA	A			
ANDREWS	✓			
CORBIN 1	✓			
SOCIO 2	✓			
DAVIS	✓			
MAYOR WOMACK				

O: K Mc Cormick Primos Taxi
 G. Bracconi
 J. Mall

**RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK AUTHORIZING
A ROAD CLOSING ON FINNEGANS LANE**

WHEREAS, the Department of Public Safety has received a request by members of Bnai Tikvah to hold a new Torah Scroll Celebration on May 5, 2013 from 8:00 am to 11:00 am; and

WHEREAS, the Governing Body recognizes that a new Torah Scroll is a celebration in which many members of a congregation gather to celebrate at an event of some importance or simply for mutual enjoyment and that events of this nature strengthen neighborhood spirit; and

WHEREAS, the aforementioned request is for a county roadway that meets the basic standards of a road closure in that it does not close an intersection, and does not have a bus stop; and

WHEREAS, N.J.S.A. 39:4-8(c), subject to the provisions of N.J.S.A. 39:4-138, in the case of any street under municipal or county jurisdiction, a municipality or county may, without the approval of the Commissioner of Transportation, by resolution approve street closings for periods up to forty-eight (48) continuous hours; and

WHEREAS, The Traffic Safety Bureau of the Department of Public Safety has thoroughly reviewed this request in coordination with the Department of Public Works and recommends that it be approved,

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of North Brunswick, County of Middlesex, and State of New Jersey, that Finnegan's Lane be approved for a road closure from 8:00 am until 11:00 am on May 5, 2013, not to exceed forty-eight (48) hours.

Robert Lombard, Business Administrator

Ronald Gordon, Esq.
Township Attorney
Approved as to Legal Form

Kent P. McCormick
Kenneth P. McCormick
Director of Public Safety

Glenn Sandor
Director of Public Works

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
NICOLA				
ANDREWS				
CORBIN				
SOCIO				
DAVIS				
MAYOR WOMACK				

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held March 18th, 2013.

Lisa Russo
Lisa Russo
Township Clerk

*C. K. McCormick
G. Bracconi
M. Cafferty*

102-3.13

A RESOLUTION OPPOSING NEW JERSEY LEGISLATURE BILL #S-2114/A-3317 WHICH SHALL PREEMPT MUNICIPAL ORDINANCES REQUIRING REGISTRATION FOR MULTI-FAMILY DWELLINGS

WHEREAS, Bill #S-2114, sponsored by Senators Van Drew and Oroho, and its companion legislation, #A-3317, seeks to pre-empt any municipal ordinance requiring registration for multi-family dwellings, as redundant; and

WHEREAS, #A-3317 was previously approved by an Assembly committee in December of 2012, but has not been scheduled for a vote before the General Assembly; and

WHEREAS, a 1967 law, the "Hotel and Multiple Dwelling Law," authorizes the State to require registration (in addition to local registration), of residential rental properties with three (3) or more units and currently, a municipality has the option to require registration for these units; and

WHEREAS, such registration is neither redundant nor at cross-purposes with registration conducted by the State of New Jersey, as municipalities conduct these registrations for many reasons, including inspections, all of which center on the health, safety and welfare of their residents; and

WHEREAS, local registration allows for municipalities to: (1) inspect and keep a timely inventory of multi-family dwellings in the community; (2) minimize overcrowding; and (3) effectively regulate the quality of housing within each community, all of which benefits the health, welfare and safety of residents throughout the State of New Jersey; and

WHEREAS, the Township of North Brunswick respectfully requests that the New Jersey State Legislature reject this proposed legislation as being adverse to the health, safety and welfare of residents throughout the State of New Jersey by removing a local government's ability to regulate housing conditions and prevent overcrowding within their own communities.

NOW, THEREFORE, BE IT RESOLVED, by the Township of North Brunswick, County of Middlesex and State of New Jersey, that the Mayor and Township Council hereby respectfully opposes the establishment and promulgation of New Jersey Senate Bill #S-2114 and its companion legislation, #A-3317 for the reasons set forth hereinabove, in the interests of the public health, welfare and safety and to prevent overcrowding in New Jersey's communities; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be certified and forwarded to Senator Robert G. Smith, Assemblyman Upendra J. Chivukula, Assemblyman Joseph V. Egan and all municipalities within the County of Middlesex.

TITLE

This Resolution shall be known and may be cited as the Resolution opposing New Jersey Legislature Bill #S-2114/A-3317 which shall preempt municipal ordinances requiring registration for multi-family dwellings.

Robert Lombard, Business Administrator

Ronald H. Gordon, Township Attorney
Approved as to Legal Form

RECORDED VOTE

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
NICOLA				
ANDREWS				
CORBIN				
SOCIO				
DAVIS				
MAYOR WOMACK				

Handwritten signature: Upendra J. Chivukula

*Handwritten signature: C. M. Smith
Senator Smith*

Handwritten signature: Assemblyman: Chivukula Egan max. County

103-3.13

RESOLUTION #

RESOLUTION AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWNSHIP OF NORTH BRUNSWICK AND RWDSU LOCAL 108 CLERICAL DIVISION

WHEREAS, the Township of North Brunswick has previously recognized the bargaining unit know as RWDSU LOCAL 108 (Clerical Division) for certain employees of the Township; and

WHEREAS, the existing agreement between the Township and RWDSU LOCAL 108 (Clerical Division) expired on December 31, 2012; and

WHEREAS, the Township of North Brunswick and RWDSU LOCAL 108 (Clerical Division) have agreed to terms and conditions for a collective bargaining agreement between the parties effective January 1, 2013 through December 31, 2015; and

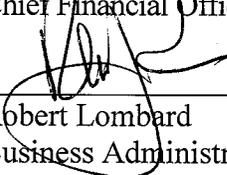
WHEREAS, the Business Administrator has reviewed the proposed terms and conditions for this collective bargaining agreement and recommends the execution of the Agreement;

NOW, THEREFORE BE IT RESOLVED on this 18th day of March 2013, the Township Council of the Township of North Brunswick hereby authorizes the Mayor and Clerk to execute a new collective bargaining agreement between the Township and the RWDSU LOCAL 108 (Clerical Division) for the term commencing January 1, 2013 through December 31, 2015;

BE IT FURTHER RESOLVED a copy of this Resolution along with the Executed Agreement will be forwarded to RWDSU LOCAL 108 (Clerical Division).



Kala Sriranganathan
Chief Financial Officer



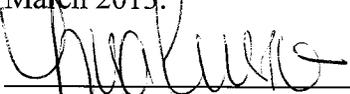
Robert Lombard
Business Administrator

Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

ROLL CALL:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
NICOLA				
ANDREWS				
CORBIN				
SOCIO				
DAVIS				
WOMACK				

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on the 18th day of March 2013.



Lisa Russo, Township Clerk

C. R. Lombard
B. Purpant
J. Parnell

RESOLUTION APPROVING BUDGET AMENDMENT
PURSUANT TO NJSA 40A: 4-87 (Ch. 159, P.L. 1948)
STATE OF NEW JERSEY FORESTRY SERVICES
GREEN COMMUNITIES 2013 - \$3,000.00

WHEREAS, NJSA 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 thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

WHEREAS, the Township of North Brunswick has received a grant award from the State of New Jersey Forestry Services for Green Communities in the amount of \$3,000.00

SECTION 1:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council 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 SFY year 2013 in the amount of \$3,000.00 which item is now available as a revenue from:

Public & Private Revenues Offset with Appropriations:	
State of New Jersey Forestry Services	
Green Communities -	\$3,000.00

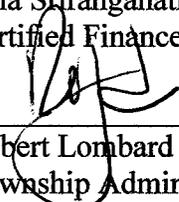
SECTION 2:

BE IT FURTHER RESOLVED, that the amount of \$3,000.00 is hereby appropriated as:

Operations Excluded from "CAPS":	
State of New Jersey Forestry Services	
Green Communities -	\$3,000.00

BE IT FURTHER RESOLVED, that the CFO is directed to report this action to the Director of the Division of Local Government Services.

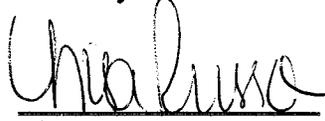

Kala Sriranganathan
Certified Finance Officer

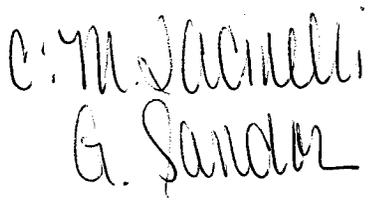

Robert Lombard
Township Administrator

Ronald Gordon
Township Attorney
Certified as to form

CERTIFICATION

I herby certify that the foregoing is a true copy of a Resolution passed by the Township Council of the Township of North Brunswick at a meeting duly held on this 18th day of March 2013.


Lisa Russo
Township Clerk



**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING A CHANGE IN SCOPE TO
THE PROFESSIONAL SERVICE AGREEMENT WITH
JM SORGE, INC. APPOINTED AS ONE OF THE 2013
ENVIRONMENTAL ENGINEERING FIRMS TO INCLUDE
SERVICES ASSOCIATED WITH NJDEP REMEDIATION REQUIREMENTS AT
45 QUARRY LANE – PUBLIC WORKS FACILITY**

WHEREAS, resolution 15-1.13 approved by the Township Council authorized JM Sorge, Inc. with offices at 57 Fourth Street, Somerville, New Jersey, to provide environmental engineering consulting services for calendar year 2013, awarded under a fair and open contract process, pursuant to the provisions of N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the Public Works facility area at 45 Quarry Lane has previously had soil remediation when contaminated soil was discovered during an Underground Storage Tank (UST) upgrade; and

WHEREAS, as part of the remediation, the New Jersey Department of Environmental Protection (NJDEP) required further services requiring a Licensed Site Remediation Professional (LSRP) needed for the completion of NJDEP's Retention Form and completion of the NJDEP Soil Sampling Program; and

WHEREAS, JM Sorge was retained in April of 2012 to provide services needed for the completion of NJDEP's Retention Form and completion of the NJDEP soil sampling requirements; and

WHEREAS, the NJDEP requires additional services that include the development of a RIR/RAR addendum to the document filed for the recent sampling and a review of all existing data for them to issue an Area of Concern (AOC) Response Action Outcome (RAO); and

WHEREAS, Director Glenn Sandor has requested amending the current contract with JM Sorge, as one of the 2013 environmental engineering firms, to include services needed for the completion of said NJDEP requirements; and

WHEREAS, compensation for said services shall be based upon the February 25, 2013 proposal submitted by JM Sorge, Inc. to be paid upon submission of monthly invoices for a not to exceed proposed amount of \$7,500.00; and

WHEREAS, the Chief Financial Officer certifies that funds in the amount of \$7,500 are available in FY07 Capital account C-04-55-C12-116-902; and

NOW, THEREFORE, BE IT RESOLVED on this 18th day of March, 2013 that the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Township Clerk to witness an amendment to the current agreement with JM Sorge, Inc. to include services associated with NJDEP remediation requirements at 45 Quarry Lane – Public Works Facility.

CERTIFICATION

I, Kala Sriranganathan, Chief Financial Officer, hereby certifies that funds in the amount of \$7,500 are available in FY12 Capital account C-04-55-C12-116-902. Contract PRO13031

Kala Sriranganathan
Chief Financial Officer

Glenn S. Sandor
Director of Public Works

Robert Lombard
Business Administrator

Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING A CHANGE IN SCOPE TO
THE PROFESSIONAL SERVICE AGREEMENT WITH
CME ASSOCIATES APPOINTED AS THE 2013
TOWNSHIP CONSULTING ENGINEERS TO INCLUDE
CONSTRUCTION ADMINISTRATION AND RECORD DRAWING SERVICES FOR
THE 2013 ROAD PROGRAM**

WHEREAS, resolution 4-1.13 approved by the Township Council authorized CME Associates, of 3141 Bordentown Avenue, Parlin, NJ 08959, to provide engineering consulting services for calendar year 2013, as awarded under a fair and open contract process, pursuant to the provisions of N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, CME Associates current agreement includes general engineering services to be provided to the Township as Consulting Engineers in an amount not to exceed \$100,000.00; and

WHEREAS, the Department of Community Development is responsible for construction and improvements of various municipal streets, roads and curbing; and

WHEREAS, Michael C. Hritz, the Director of Community Development, has requested additional services of CME Associates to include Construction Phase Services for the 2013 Road Program Project; and

WHEREAS, compensation for said services shall be based upon the March 4, 2013 proposal submitted by CME Associates, to be paid upon submission of monthly invoices for an amount not to exceed \$293,524.00 for a revised contract amount of \$393,524.00; and

WHEREAS, the Chief Financial Officer certifies that funds in the amount of \$20,997.00 are available in Capital Ordinance 06-15 C-04-55-C07-615-901, \$3,148.79 are available in Capital Ordinance 08-23 account C-04-55-C09-823-901, \$5,078.54 are available in Capital Ordinance 09-16 C-04-55-C10-916-901, 199,724.39 are available in Capital Ordinance 12-13 account C-04-55-C13-121-901, \$719.09 are available in Water Capital Ordinance 05-16 account C-05-55-C06-161-201, \$25,387.83 are available in Water Capital Ordinance 12-13 account C-06-55-C08-724-201, \$8,050.27 are available in Water Capital Ordinance 08-22 account C-06-55-C09-822-201, \$24,547.61 are available in Water Capital Ordinance 11-18 account C-06-55-C12-118-901 \$5,022.67 are available in Sewer Capital Ordinance 08-21 account C-08-55-C09-821-201 and \$847.81 are available in Sewer Capital Ordinance 09-17 account C-04-55-C10-917-201 for a total authorization of \$293,524.00; and

NOW, THEREFORE, BE IT RESOLVED on this 18th day of March, 2013 that the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Township Clerk to witness an amendment to the current agreement with CME Associates to include Construction Phase Services for the 2013 Road Program Project.

BE IT FURTHER RESOLVED notice of this action shall be published in the Home News & Tribune as required by law within 10 (ten) days after its passage

CERTIFICATION

I, Kala Sriranganathan, Chief Financial Officer, hereby certifies that funds in the amount of \$20,997.00 are available in Capital Ordinance 06-15 C-04-55-C07-615-901, \$3,148.79 are available in Capital Ordinance 08-23 account C-04-55-C09-823-901, \$5,078.54 are available in Capital Ordinance 09-16 C-04-55-C10-916-901, 199,724.39 are available in Capital Ordinance 12-13 account C-04-55-C13-121-901, \$719.09 are available in Water Capital Ordinance 05-16 account C-05-55-C06-161-201, \$25,387.83 are available in Water Capital Ordinance 12-13 account C-06-55-C08-724-201, \$8,050.27 are available in Water Capital Ordinance 08-22 account C-06-55-C09-822-201, \$24,547.61 are available in Water Capital Ordinance 11-18 account C-06-55-C12-118-901 \$5,022.67 are available in Sewer Capital Ordinance 08-21 account C-08-55-C09-821-201 and \$847.81 are available in Sewer Capital Ordinance 09-17 account C-04-55-C10-917-201 for a total authorization of \$293,524.00. Contract PRO13027

**A RESOLUTION OF THE TOWNSHIP OF NORTH BRUNSWICK
AUTHORIZING AWARD OF CONTRACT BID13001
TO LUCAS BROTHERS, INC.
FOR THE 2013 ROAD IMPROVEMENT PROGRAM**

WHEREAS, the Department of Community Development is responsible for construction and improvements of Township streets and roads; and

WHEREAS, Michael C. Hritz, the Director for the Department of Community Development, along with the Mayor and Council have reviewed the pavement management plan and determined it necessary to continue with the 2013 road schedule as part of the 15 year road program initiated in 2000; and

WHEREAS, this project will be funded from existing Capital Ordinances 07-01, 10-23, 11-16, 12-13, 07-24W, 11-18W, 12-14W, 11-17S; and

WHEREAS, on January 17, 2013 the Township Council of the Township of North Brunswick approved Resolution 58-1.13 authorizing advertisement for receipt of bids for the 2013 Road Improvement Program, BID13001; and

WHEREAS, the Municipal Clerk witnessed the receipt of five bids on February 27, 2013 and the lowest qualifying bid was submitted by Lucas Brothers Inc. of Morganville, NJ with a base bid of \$2,886,259.60 for items 1 through 131 inclusive; and

WHEREAS, CME Associates, Engineers for this project, the Purchasing Agent and Legal Counsel have reviewed the qualifications and bid submitted by Lucas Brothers and determined them responsive under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey; and

NOW THEREFORE, BE IT RESOLVED, that the bid submitted by Lucas Brothers Inc. is hereby accepted.

BE IT FURTHER RESOLVED, Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and Township Clerk to witness an agreement with by Lucas Brothers for the 2013 Road Improvement Program, Contract BID13001, in the amount of \$2,886,259.60 for Items 1 through 131 inclusive.

CERTIFICATION

I, Kala Sriranganathan, Chief Financial Officer of the Township of North Brunswick, certify that funds in the amount of \$594,938.39 are available in Capital Ordinance 11-16, \$1,669,900.89 are available in Capital Ordinance 12-13, \$1,950.00 are available in Water Capital Ordinance 07-24, \$264,537.49 are available in Water Capital Ordinance 11-18, \$304999.64 are available in Water Capital Ordinance 12-14 and \$49,933.19 are available in Sewer Capital Ordinance 11-17 for a total authorization of \$2,886,259.60 Contract # BID13001

Kala Sriranganathan
Chief Financial Officer

Michael C. Hritz
Director of Community Development

Robert Lombard
Business Administrator

Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

**A RESOLUTION AUTHORIZING THE ADVERTISEMENT
FOR RECEIPT OF BIDS
UNDER THE DEPARTMENT OF PUBLIC WORKS FOR
SEWER COLLECTION SYSTEM MAINTENANCE AND REPAIR**

WHEREAS, the Sewer Division under the Department of Public Works provides for the maintenance and repairs to the municipal sewer system; and

WHEREAS, the two year agreement with the current vendor, J. Fletcher Creamer & Son Inc., to provide sewer collection system maintenance and repair is expiring; and

WHEREAS, Glenn Sandor, the Director for Department of Public Works, has determined a need to continue having third party services available for sewer collection system maintenance and repair services; and

WHEREAS, the Business Administrator has reviewed and approved the request by the Director for said services; and

WHEREAS, the goods and services price is anticipated to exceed the current bid threshold, and is therefore required to be bid under a formal process pursuant to N.J.S.A. 40A:11-3; and

WHEREAS, funds are available under the sewer operating utility budget; and

NOW, THEREFORE, BE IT RESOLVED, on this 18th day of March, 2013 that the Township Council of the Township of North Brunswick does hereby authorize advertisement for the receipt of bids for the following:

BID OPENING DATE: April 11, 2013

**CONTRACT BID13004: Sewer Collection System
Maintenance and Repair Services**

CERTIFICATION

I, Kala Sriranganathan, Chief Financial Officer of the Township of North Brunswick, certify that funds shall be made available for this purpose under Contract BID13004

Kala Sriranganathan
Chief Financial Officer

Glenn S. Sandor
Director of Public Works

Robert Lombard
Business Administrator

Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
NICOLA				
ANDREWS				
CORBIN				
SOCIO				
DAVIS				
MAYOR WOMACK				

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on March 18, 2013.

Lisa Russo
Lisa Russo
Township Clerk

C. G. Sandor
C. G. Sandor
J. M. [unclear]

109-3.13

A RESOLUTION AUTHORIZING ACCEPTANCE AND UTILIZATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS - \$90,951.00 FOR PROGRAM YEAR 2013

WHEREAS, the Township Council of the Township of North Brunswick received notice from the Middlesex County Housing and Community Development Department of a Community Development Block Grant for program year 2013 in the amount of \$90,951.00, in the same amount as program year 2012, which the United States HUD reduced the funding allocation by approximately 9.1% from the prior program year 2011 allocation; and

WHEREAS, the Middlesex County Housing and Community Development has recommended that the allocation for the program year 2013 Consolidation Plan through the Middlesex County Housing and Community Development Department, be proposed in the same amount and be utilized for the North Brunswick Individual Housing Preservation and Rehabilitation Program, Code Enforcement Property Maintenance Program and Livingston Avenue / Parkway Island Sidewalk and Crosswalk Construction Project for the fiscal period of July 1, 2013 – June 30, 2014 in the specific commitment amounts stated below; and

WHEREAS, should the United States HUD increase or further decrease allocations to the Community Development Block Grant Program for the program year 2013, the increase or decrease should be allocated to the Livingston Avenue / Parkway Island Sidewalk and Crosswalk Construction Project; and

NOW THEREFORE BE IT RESOLVED, on the 18th day of March, 2013, by the TOWNSHIP COUNCIL of the TOWNSHIP OF NORTH BRUNSWICK, that the following schedule of proposed use of CDBG funds are hereby approved in accordance with North Brunswick Community Development Block Grant Non-Discretionary Allocation Requests:

Individual Housing Rehabilitation: (Deferred Loan Program)	\$ 40,000.00
Code Enforcement Salary Reimbursement:	\$ 40,000.00
Livingston Avenue / Parkway Island Sidewalk and Crosswalk Construction Project	\$ 10,951.00
TOTAL	\$ 90,951.00

110-3.13

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH BJ'S WHOLESALE CLUB
TO IMPLEMENT THE REQUIREMENTS OF A RESOLUTION OF THE
TOWNSHIP OF THE NORTH BRUNSWICK PLANNING BOARD, DATED
MARCH 12, 2013 APPROVING THE AMENDED PRELIMINARY AND FINAL SITE
PLAN FOR BLOCK 4.46, LOTS 1.01, 1.02 & 1.04**

WHEREAS, by Resolution dated July 19, 2011, the Township Planning Board granted Amended Preliminary & Final Site Plan Approval to Commerce Center NB, LLC and Commerce Center NB1, LLC (collectively the "Developer") for the construction of among other things, a 113,700 square foot BJ's Wholesale Club, Inc. ("BJ's") with a mezzanine containing an additional 2,500 square feet (the "Project") on a portion of Lot 1.04 (the "2011 Resolution"); and

WHEREAS, the Project is located in the Transitional Mixed Use Zone ("TMU Zone") as described in Section 205-79 of the Ordinances of the Township of North Brunswick (the "Township Code"); and

WHEREAS, the 2011 Resolution concludes that the Project is permitted in the TMU Zone as a Large Retail Establishment pursuant to Section 205-79.2A(10) of the Township Code; and

WHEREAS, Large Retail Establishments located in the TMU Zone are required pursuant to Section 205-79.4D(3) of the Township Code to utilize renewable energy, such as, but not limited to, solar, wind, fuel cells or geothermal power to produce a minimum of 10% of its estimated energy demand; and

WHEREAS, the Developer intends to utilize solar photovoltaic technology located on the roof of the Project to satisfy its obligation with respect to Section 205-79.4D(3) of the Township Code; specifically BJ's intends to install approximately a 400 kW solar photovoltaic system which will meet the needs of approximately 15% of the Project's total energy requirements; and

WHEREAS, although the Developer has completed construction of the Project, neither the Developer nor BJ's has initiated installation of the Solar Project; and

WHEREAS, the Developer has provided the Township with a report dated February 27, 2013, prepared by Tioga Energy, Inc., a solar installation and financing firm retained by the Developer (the "Tioga Report"), which explains that the current state of the solar market in New Jersey, including the State-based incentive known as a the Solar Renewable Energy Certificate ("SREC") market, renders the Solar Project financially infeasible at this time; and

WHEREAS, the Developer is ready to open the Project to the public; and

WHEREAS, based upon the volatile state of the solar market in New Jersey generally, and the conclusions reached in the Tioga Report specifically, the Developer has requested an amendment of the Resolution that would grant the Developer a waiver for an extension of time to comply with its obligations with respect to Section 205-79.4D(3) of the Township Code; and

WHEREAS, the Township has reviewed the Tioga Report and is aware of the current oversupply conditions in the New Jersey SREC market; and

WHEREAS, the Township desires to uphold the sustainability requirements of the TMU Zone portion of the Township Code while also providing the Developer with the ability to develop and implement an economically viable solar renewable energy project; and

WHEREAS, the Township and Developer desire to enter into an Agreement to set forth their respective undertakings, rights and obligations, all in accordance with applicable law and the terms and conditions of this Agreement hereinafter set forth; and

111-3.13

CHECK REGISTER PROCESS FOR MARCH 18, 2013

FUND	DETAIL	CHECK NUMBERS	AMOUNT
1	CURRENT FUND BILL LIST	39832, 39942-39955	\$897,564.31
1	CURRENT FUND BILL LIST	40087-40127	\$865,384.53
1	CURRENT FUND VOID	39760, 39861	-\$15,445.89
17	PAYROLL BILL LIST	103522-103544	\$978,614.64
17	PAYROLL BILL LIST	103545-103554	\$724,282.02
17	PAYROLL VOID		
TOTAL			\$3,450,399.61

111-3.13

CHECK REGISTER APPROVED BY TOWNSHIP COUNCIL MARCH 18, 2013

FUND	DETAIL	CHECK NUMBERS	AMOUNT
1	CURRENT FUND	BILL LIST	\$382,692.20
20	INSPECTION	BILL LIST	\$3,054.25
21	TECH REVIEW	BILL LIST	\$42,515.21
22	PERF. BOND	BILL LIST	
36	RCA FUTURE	BILL LIST	
TOTAL			\$428,261.66

111-3.13

CHECK REGISTER APPROVED BY TOWNSHIP COUNCIL MARCH 18, 2013

FUND	DETAIL	CHECK NUMBERS	AMOUNT
1	CURRENT FUND	BILL LIST	\$382,692.20
20	INSPECTION	BILL LIST	\$3,054.25
21	TECH REVIEW	BILL LIST	\$42,515.21
22	PERF. BOND	BILL LIST	
36	RCA FUTURE	BILL LIST	
TOTAL			\$428,261.66