

NORTH BRUNSWICK TOWNSHIP
REGULAR COUNCIL MEETING

February 3, 2014

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: *CERT Team Members*

6. Department of Parks, Recreation and Community Services presents: Scholar / Athlete / Artist for January 2014
Eashan Krishnamoorthy and Mikayla Mehalick

7. **Consent Agenda:**
 - a. Authorizing the redemption of various third party liens _____ 65-2.14
 - b. Authorizing the reinstatement of installment payments for property owners within
Belcourt at Hidden Lake for Water Services Project _____ 66-2.14
 - c. Authorizing the application and acceptance of a Grant from the State of New Jersey
Department of Law and Public Safety Division of Alcoholic Beverage Control
(ABC) Cops In Shops – College/Fall Initiative 2013-2014 Program _____ 67-2.14
 - d. Authorizing a supplemental authorization to the PSA with Stantec for improvements
to the 24 inch Mile Run Inceptor Pipeline _____ 68-2.14
 - e. Authorizing the advertisement for Receipt of Bids for the 2014 Road Improvements
Program _____ 69-2.14
 - f. Authorizing an agreement with the State of New Jersey Department of Transportation
for the Route 130 Resurfacing Project - Water _____ 70-2.14
 - g. Authorizing an agreement with the State of New Jersey Department of Transportation
for the Route 130 Resurfacing Project – Sanitary Sewer _____ 71-2.14
 - h. Calling on the legislature to make permanent the 2% CAP on Interest Arbitration
Awards _____ 72-2.14
 - i. Approving the applications and authorizing the issuance of taxi owners licenses _____ 73-2.14
 - j. Authorizing the a PSA with Brian T. Goldenfarb to serve as Conflict Public Defender _____ 74-2.14
 - k. Authorizing the issuance of a Request for Proposal for Environmental Legal Counsel for
the Soil Remediation Project _____ 75-2.14
 - l. Payment of bills _____ 76-2.14

8. Approval of minutes: Reorganization / January 1, 2014
Regular Council Meeting / January 13, 2014

9. Public Hearing: Authorizing a Settlement Agreement by and among Fair Share Housing Center, Inc.,
The Township of North Brunswick, The Township of North Brunswick Planning
Board and North Brunswick TOD Associates, LLC as to all claims against
The Township arising out of actions entitled “Fair Share Housing Center, Inc. v
Township of North Brunswick”, Docket Numbers MID-L-6495-10 and
MID-L-6081-12

10. Authorizing a Settlement Agreement by and among Fair Share Housing Center, Inc., The Township
of North Brunswick, The Township of North Brunswick Planning Board and North Brunswick
TOD Associates, LLC as to all claims against The Township arising out of actions entitled
“Fair Share Housing Center, Inc. v Township of North Brunswick”, Docket Numbers
MID-L-6495-10 and MID-L-6081-12 _____ 77-2.14

11. **Ordinance / First Reading / Introduction-**
14-01 - An Ordinance of the Township of North Brunswick amending and fixing the salary and wages for
various officials and employees of the Township of North Brunswick and providing for the manner of payment
thereof

12. Reports from Mayor, Council, Administrator, CFO
13. Public Hearing
14. Adjourn

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AMENDING AND FIXING THE SALARY AND WAGES FOR VARIOUS OFFICIALS
AND EMPLOYEES OF THE TOWNSHIP OF NORTH BRUNSWICK AND
PROVIDING FOR THE MANNER OF PAYMENT THEREOF**

Be it ordained by the Township Council of the Township of North Brunswick, Middlesex County, State of New Jersey:

Section 1. The Salary Guide shall be amended by changing the salary range as follows:

Title Description	Minimum	Maximum
Tax Assessor	\$40,000	\$90,000 \$95,000
Tax Collector, Assistant Municipal	\$25,000	\$43,000 \$44,600
Public Information Officer	\$ 3,000	\$11,500 \$40,000

Section 2. The Salary Guide shall be amended by adding the following new titles:

Title Description	Minimum	Maximum
Assessor Trainee	\$20,000	\$35,000
Technical Management Information Systems	\$25,000	\$45,000

Title

Ordinance shall be known and may be cited as the Ordinance fixing the salary and wages for various officials and employees of the Township of North Brunswick.

Approved Yes No
 Rejected Yes No

 Francis "Mac" Womack III, Mayor
 Township of North Brunswick

Reconsidered by Council _____

Override Vote Yes No

RESOLUTION NO. 65-2.14

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

[Signature]
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				
Mr. Andrews				
Mr. Corbin				
Mr. Davis				
Mr. Socio				
Ms. Nicola				
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 February 3, 2014.

[Signature]
Lisa Russo
Municipal Clerk

L. K. Hammarstrom
K. Sriranganathan

RESOLUTION *66 2.14*

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 February 1, 2014 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 February 3, 2014.

Lisa Russo

Lisa Russo, Township Clerk

C. H. Hammasstrom
K. Srinanganathan

**RESOLUTION AUTHORIZING THE APPLICATION AND ACCEPTANCE
OF A GRANT FROM
THE STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL (ABC)
COPS IN SHOPS – COLLEGE/FALL INITIATIVE 2013-2014 PROGRAM**

WHEREAS, the Director of Public Safety, Township of North Brunswick, desires to apply for and to accept Cops in Shops – College/Fall Initiative 2013-2014 Program reimbursement funds for the salaries of officers who operate the grant project. The purpose of the grant is to deter minors from purchasing alcoholic beverages through aggressive enforcement techniques in the Township of North Brunswick from January 6 to June 15, 2014;

WHEREAS, it would be in the best interest of North Brunswick Township to apply for and to accept said monies; the exact amount to be determined by the State of New Jersey, with no matching funds required. The maximum project overtime rate is \$50.00 per hour. Officers paid more than \$50.00 per hour will be reimbursed at \$50.00 per hour by the grant with the municipality covering the remainder of the rate;

WHEREAS, the Township Council of the Township of North Brunswick has reviewed the accompanying application and is supportive of this action;

NOW THEREFORE BE IT RESOLVED, on the 3rd Day of February 2014, the Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey, hereby authorizes:

- 1) The Director of Public Safety to apply for and to accept for the Cops in Shops – College/Fall Initiative 2013-2014 Program reimbursement funds to deter minors from purchasing alcoholic beverages through aggressive enforcement techniques. The amount will be determined by the State of New Jersey at the time of the award.

Kenneth P. McCormick
Kenneth P. McCormick, Director of Police

1/8/14
Date

Robert Lombard, Administrator

Date

Kala Sriranganathan, Chief Financial Officer

Date

Ronald Gordon, Esq.
Township Attorney Certified as to Form

Date

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING A SUPPLEMENTAL AUTHORIZATION TO
THE PROFESSIONAL SERVICE AGREEMENT WITH
STANTEC FOR IMPROVEMENTS TO THE
24-INCH MILE RUN INTERCEPTOR PIPELINE**

WHEREAS, resolution 13-1.14 approved by the Township Council authorized Stantec (81 East Water Street – Suite 2C, Toms River, New Jersey 08753), to provide Wastewater Collection Oversight services for calendar year 2014.; and

WHEREAS, Stantec’s current agreement includes wastewater collection oversight services in an amount not to exceed \$20,000.00; and

WHEREAS, the Sewer Division has reviewed the Mile Run Interceptor pipeline; and

WHEREAS, part of the interceptor includes a 24-inch asbestos concrete pipe that is approximately 700 feet long located from Georges Road to Commercial Avenue with five existing manholes; and

WHEREAS, the Sewer Division has determined it necessary to replace the pipe section with a 24-inch PVC pipe and repair or replace the manholes; and

WHEREAS, the Sewer Division has solicited a proposal from Stantec to assist with this project; and

WHEREAS, Stantec proposal includes the following:

- Task 1: Establish Right-of-Way/Easement, Topographic and Utility Survey: \$6,500.00
- Task 2: Wetland Delineation and NJDEP Land Use Permitting: \$14,800.00
- Task 3: Construction Documents: \$15,500.00
- Task 4: Bid Support: \$3,500.00
- Task 5: Contract Administration and Construction Observation: \$12,000.00
- Total: \$52,300.00

WHEREAS, compensation for services shall be based upon the December 12, 2013 proposal submitted by Stantec; and

WHEREAS, the Chief Financial Officer certifies that funds in the amount of \$350.00 are available in account C-08-55-C09-821-201 and \$51,950.00 are available in account C-08-55-C10-917-201; and

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of February, 2014 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 Stantec to include additional services for the replacement of a section of 24-inch Mile Run Interceptor pipeline at a cost not to exceed \$52,300.00.

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 \$350.00 are available in account C-08-55-C09-821-201 and \$51,950.00 are available in account C-08-55-C10-917-201. Contract PRO14034

Kala Sriranganathan
Chief Financial Officer

Doug Robertson
Acting Director of Public Works

Robert Lombard
Business Administrator

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

**A RESOLUTION AUTHORIZING THE ADVERTISEMENT
FOR RECEIPT OF BIDS
FOR THE 2014 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 2014 road schedule as part of the road program initiated in 2000; and

WHEREAS, road segments include Thatchwood Court, Hoover Drive, Redmond Street, Revere Road, Otis Road, Barrymore Place and Beecher Place with Delta Court as an add/delete item; and

WHEREAS, this project will be funded from existing Capital Ordinances; and

WHEREAS, the Business Administrator has reviewed and approved the Director's request and deems it necessary to receive bids for the 2014 Road Improvement Program; 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

NOW, THEREFORE, BE IT RESOLVED, on this 3rd day of February, 2014 that the Township Council of the Township of North Brunswick does hereby authorize advertisement for the receipt of bids for the following specification:

BID ADVERTISEMENT DATE
February 6, 2014

BID OPENING DATE
February 27, 2014

CONTRACT BID14001:
2014 Road Improvement Program

CERTIFICATION

I, Kala Sriranganathan, Chief Financial Officer of the Township of North Brunswick, certify that funds have been made available for this purpose under Contract BID14001.

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

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
ANDREWS				
CORBIN				
DAVIS				
SOCIO				
NICOLA				
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 February 3, 2014.

Lisa Russo
Lisa Russo
Township Clerk

C: G. Ruggellin S. Kunz M. Weiner
M. Hritz Home Depot

**A RESOLUTION OF THE TOWNSHIP OF NORTH BRUNSWICK
AUTHORIZING AN AGREEMENT WITH THE STATE OF NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR
THE ROUTE 130 RESURFACING PROJECT – WATER**

WHEREAS, the State of New Jersey Department of Transportation hereinafter called the “State” is about to perform road resurfacing improvements along Route 130 hereinafter called the “Project”; and

WHEREAS, the Project may require the construction of new, and / or the protection, relocation and / or adjustment of existing water utility facilities; and

WHEREAS, it is necessary to for the Township of North Brunswick hereinafter called the “Utility” enter into the agreement known as (UECA-14-130-123820) (UPC Code: 123820) setting for the terms of involved parties; and

WHEREAS, included within the terms of the agreement is the reimbursement obligation of the State to the Utility for engineering services associated with verification, design, review, approval, and inspection for the protection, relocation or adjustment of existing water facilities owned by the Utility; and

WHEREAS, CME Associates shall be designated Engineers for this project; and

WHEREAS, Michael C. Hritz, Director of the Department of Community Development, requests entering into the attached agreement with the New Jersey Department of Transportation which includes an estimated reimbursement amount of \$5,000 for related engineering services; and

NOW THEREFORE, BE IT RESOLVED, Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and Township Clerk witness for an agreement with the State of New Jersey, Department of Transportation and does hereby accept the terms and conditions specified in the agreement in connection with this project.

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

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
ANDREWS				
DAVIS				
CORBIN				
SOCIO				
NICOLA				
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 February 3, 2014.

[Signature]
Lisa Russo
Township Clerk

[Signature]
C. M. Hritz
S. Kunz

[Signature]
J. Ruybin

[Handwritten note]
Ch. Russo → w/agreement.

**A RESOLUTION OF THE TOWNSHIP OF NORTH BRUNSWICK
AUTHORIZING AN AGREEMENT WITH THE STATE OF NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR
THE ROUTE 130 RESURFACING PROJECT – SANITARY SEWER**

WHEREAS, the State of New Jersey Department of Transportation hereinafter called the “State” is about to perform road resurfacing improvements along Route 130 hereinafter called the “Project”; and

WHEREAS, the Project may require the construction of new, and / or the protection, relocation and / or adjustment of existing sanitary sewer utility facilities; and

WHEREAS, it is necessary to for the Township of North Brunswick hereinafter called the “Utility” enter into the agreement known as (UECA-13-130-123820) (UPC Code: 123820) setting for the terms of involved parties; and

WHEREAS, included within the terms of the agreement is the reimbursement obligation of the State to the Utility for engineering services associated with verification, design, review, approval, and inspection for the protection, relocation or adjustment of existing sanitary sewer facilities owned by the Utility; and

WHEREAS, CME Associates shall be designated Engineers for this project; and

WHEREAS, Michael C. Hritz, Director of the Department of Community Development, requests entering into the attached agreement with the New Jersey Department of Transportation which includes an estimated reimbursement amount of \$5,000 for related engineering services; and

NOW THEREFORE, BE IT RESOLVED, Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and Township Clerk witness for an agreement with the State of New Jersey, Department of Transportation and does hereby accept the terms and conditions specified in the agreement in connection with this project.

Kala Sriranganathan
Chief Financial Officer

Michael C. Hritz
Director of Community Development

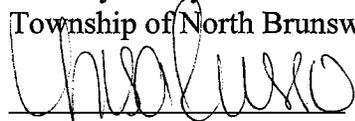
Robert Lombard
Business Administrator

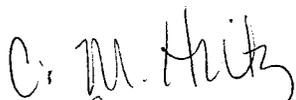
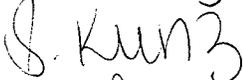
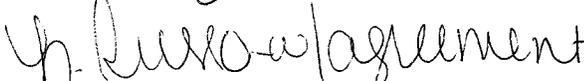
Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
ANDREWS				
DAVIS				
CORBIN				
SOCIO				
NICOLA				
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 February 3, 2014.


Lisa Russo
Township Clerk

72-2.14

RESOLUTION CALLING ON THE LEGISLATURE TO MAKE PERMANENT THE 2% CAP ON INTEREST ARBITRATION AWARDS

WHEREAS, on December 21, 2010, Governor Christie signed into law reforms to the Arbitration process that took effect January 1, 2011; and

WHEREAS, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing the weight accorded to each of the required considerations and expedited the appeal process; and

WHEREAS, these reforms marked a dramatic change to the arbitration process and have helped municipalities to control the never-ending rise in public safety personnel costs; and

WHEREAS, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of the property tax levy will expire on April 1, 2014; and

WHEREAS, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the State to further reduce or even eliminate crucial services, personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and

WHEREAS, the 2% Interest Arbitration cap has controlled one of the largest municipal expense, public safety salaries, not only through arbitration awards but through contract negotiations; and

WHEREAS, absent further action by the Legislature, any contract that expires on or after April 1, 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and

WHEREAS, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and

WHEREAS, without the 2% cap on Interest Arbitration Awards but with the 2% cap on property tax levy local budget makers could be forced to reduce other essential municipal services to fund an arbitration award;

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of February, 2014 that the Township Council of the Township of North Brunswick strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1, 2014 sunset; and

BE IT FURTHER RESOLVED, that a that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, North Brunswick Legislative Representatives: Senator Bob Smith, Assemblyman Upendra J. Chivukula and Assemblyman Joseph V. Egan, Governor Chris Christie, and the New Jersey State League of Municipalities.

Robert Lombard
Business Administrator

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

13-2.14

**RESOLUTION APPROVING APPLICATIONS AND AUTHORIZING THE
ISSUANCE OF TAXI OWNER'S LICENSES**

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

WHEREAS, applications have been made and satisfactory reports have been received by the Police Director and Zoning Officer for the issuance of taxi owner's licenses for the following individual:

<u>NAME</u>	<u># of LICENSES</u>	<u>NAME OF BUSINESS</u>
Noe Gonzalez, Jr.	7	Latino Taxi
Surgelis Beccerra	2	Prestige Transportation
Mirian Gonzalez	3	Prestige Transportation
Aracely Gutierrez & Edmer S. Delgado	1	Mi Pueblo Taxi
Enimia Perez	3	Melvis North Brunswick Taxi, LLC
James Avivelo	3	Taxi & Limo Four, LLC
Aviva Neginsky & Eli Kotin	5	North Brunswick Taxi
Valentin Bautista	1	Primos Taxi

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of February, 2014, that the Township Council of the Township of North Brunswick does hereby approve the applications and authorize the issuance of the approved number of taxi owner's licenses to the above mentioned entities.

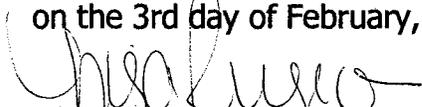
Robert Lombard
Business Administrator

Kenneth McCormick
Director of Public Safety

Michael Hritz
Director of Community Development

Ronald Gordon
Township Attorney
certified as to form

I 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 3rd day of February, 2014.



Lisa Russo
Municipal Clerk

C. J. Mauer - files
all license owners
G. Braconi

K. McCormick
M. Hritz

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH
BRIAN T. GOLDENFARB TO SERVE AS
CONFLICT PUBLIC DEFENDER**

WHEREAS, the Township of North Brunswick has a need for a professional to perform the duties as Conflict Public Defender in the North Brunswick Municipal Court for the remainder of calendar year 2014; and

WHEREAS, on October 21, 2013, the Township Council approved resolution 298-10.13 authorizing the solicitation of Requests for Proposals for said professional services; and

WHEREAS, the Purchasing Agent received, and the Deputy Municipal Clerk witnessed, the receipt of Requests for Proposals for said professional services on November 15, 2012; and

WHEREAS, services were procured in formal manner under N.J.S.A. 40A:11-4.1a et seq. under both a fair and open and competitive process to assure that each person and/or firm is provided an equal opportunity to submit a proposal; and

WHEREAS, the Purchasing Agent received, and the Deputy Municipal Clerk witnessed, the receipt of no proposals for said professional services on December 5, 2013; and

WHEREAS, while Brian T. Goldenfarb did not submit a proposal in response to PRO14006, the Purchasing Agent has determined the anticipated aggregate value of professional services is not anticipated to exceed \$17,500.00; and

WHEREAS, the Administrator, Purchasing Agent and Legal Counsel have reviewed the qualifications provided by Brian T. Goldenfarb and determined him qualified for the position; and

WHEREAS, it is in the best interest of the Township of North Brunswick to enter into an agreement with Brian T. Goldenfarb (15 Rachel Way, North Brunswick, New Jersey 08902) to serve in the position as Conflict Public Defender for the remainder of calendar year 2014; and

WHEREAS, compensation for these services shall be paid at a rate of \$200.00 per session, for regular and special sessions as scheduled by the Court Administrator, \$50.00 per Court Administration approved consultation, and reimbursable expenses in an amount not to exceed \$2,500.00 for the remainder of calendar year 2014; and

WHEREAS, the Chief Financial Officer has certified that \$1,500.00 is available for this purpose in account 4-01-43-495-000-181 for services ending June 30, 2014 and the balance of funds shall be certified upon the appropriation of funds in FY 2015; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that a resolution authorizing the award of contract for "professional services" without competitive bids must be publicly advertised; and

NOW, THEREFORE, BE IT RESOLVED on this 1st day of January, 2014, that the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Township Clerk to witness an agreement with Brian T. Goldenfarb, to perform the duties as Conflict Public Defender in the North Brunswick Municipal Court for calendar year 2014 with an authorization not to exceed \$2,500.00.

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public contracts Law, N.J.S.A. 40A:11-5(1) since this contract is for services performed by a business authorized to practice a recognized profession and it was not necessary to obtain competitive bidding.

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.

**A RESOLUTION AUTHORIZING THE ISSUANCE OF
A REQUEST FOR PROPOSAL FOR
ENVIRONMENTAL LEGAL COUNSEL FOR
THE SOIL REMEDIATION PROJECT**

WHEREAS, resolutions 285-9.06, 95-2.07, 164-5.07, 266-8.07, 391-12.07, 185-5.08, 310-9.08, 76-2.09, 273-9.09, (117-3.10), 142-4.10, 230-8.10, 325-12.10 and 195-6.12 approved by the Township Council authorized Hoagland, Longo, Moran, Dunst & Doukas, LLP (40 Paterson Street, New Brunswick, NJ 08903) to provide Environmental Legal Counsel to assist the Township in resolving the financial liabilities with the High School soil contamination site; and

WHEREAS, the contract authorized was awarded as a professional services contract in 2006; and

WHEREAS, due to the unanticipated continuation of the review process in resolving the financial liabilities, it is necessary under statutory procurement rules and regulations to solicit proposals from interested firms; and

WHEREAS, services shall be procured in formal manner under N.J.S.A. 40A:11-4.1a et seq. under both a fair and open and competitive process to assure that each person and/or firm is provided an equal opportunity to submit a proposal; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of North Brunswick, County of Middlesex, and State of New Jersey, that requests for proposals for Environmental Legal Counsel to assist the Township in resolving the financial liabilities with the High School soil contamination site are hereby authorized; and

BE IT FURTHER RESOLVED, that the proposal documents for the aforesaid professional service shall be prepared and published in accordance with N.J.S.A. 19:44A-20.1 et seq. and such proposals received shall be evaluated on the basis of the most advantageous, all factors considered, including, but not limited to: (1) experience and reputation in the profession; (2) knowledge of the subject matter to be addressed under contract; (3) availability to accommodate any required meetings of the Township; (4) and any other factors if demonstrated to be in the best interest of the Township.

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.

Robert Lombard
Business Administrator

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

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA				
ANDREWS				
CORBIN				
DAVIS				
SOCIO				
NICOLA				
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 February 3, 2014.

Lisa Russo
Lisa Russo
Township Clerk

C: R. Lombard
of
Home News

76-2.14

1 of 2

CHECK REGISTER PROCESS FOR FEBRUARY 3, 2014

FUND	DETAIL	CHECK NUMBERS	AMOUNT	
1	CURRENT FUND	BILL LIST	43580 - 43615	\$8,723,402.29
1	CURRENT FUND	VOID		
1	CURRENT FUND	BILL LIST	43427 - 43433	\$382,525.77
1	CURRENT FUND	VOID		
17	PAYROLL	BILL LIST	103921 - 103933	\$1,036,645.81
17	PAYROLL	BILL LIST	103919 - 103920	\$160,996.32
17	PAYROLL	VOID		
TOTAL				\$10,303,570.19

CHECK REGISTER APPROVED BY TOWNSHIP COUNCIL FEBRUARY 3, 2014

FUND	DETAIL	CHECK NUMBERS	AMOUNT
1	CURRENT FUND	BILL LIST	\$842,667.66
20	INSPECTION	BILL LIST	\$17,158.00
21	TECH REVIEW	BILL LIST	\$15,909.46
22	PERF. BOND	BILL LIST	
36	RCA FUTURE	BILL LIST	
TOTAL			\$875,735.12

A RESOLUTION AUTHORIZING A SETTLEMENT AGREEMENT BY AND AMONG FAIR SHARE HOUSING CENTER, INC, THE TOWNSHIP OF NORTH BRUNSWICK, THE TOWNSHIP OF NORTH BRUNSWICK PLANNING BOARD AND NORTH BRUNSWICK TOD ASSOCIATES, LLC AS TO ALL CLAIMS AGAINST THE TOWNSHIP ARISING OUT OF ACTIONS ENTITLED "FAIR SHARE HOUSING CENTER, INC V TOWNSHIP OF NORTH BRUNSWICK", DOCKET NUMBERS MID-L-6495-10 AND MID-L-6081-12

WHEREAS, actions have been filed against the Township of North Brunswick and other Defendants in the Superior Court of New Jersey, Middlesex County under the title "Fair Share Housing Center, Inc. v the Township of North Brunswick under docket numbers MID-L-6495-10 and MID-L-6081-12; and

WHEREAS, Fair Share Housing Center, filed a lawsuit due to a concern that the North Brunswick TOD, LLC project for that certain tract and parcel of land and the improvements thereon consisting of approximately 206.158 acres with a street address of 2300 US Route 1 North, North Brunswick, N.J. 08902; designated as Block 141 Lots 1-143 on the current tax and assessment map of the Township of North Brunswick would not contain "moderate - income units" and "low - income units" as those terms are defined in N.J.A.C 5:80-26.2; and

WHEREAS, the parties have negotiated and agreed upon a settlement agreement whereby 12.2 % of the housing units in the transit oriented mixed use development to be constructed by North Brunswick TOD, LLC shall be affordable housing units as particularly described in that certain document entitled "Settlement Agreement By and Among Fair Share Housing Center, Inc., Township of North Brunswick, Township of North Brunswick Planning Board and North Brunswick TOD Associates, LLC" (the "Settlement Agreement") which is incorporated herein by reference; and

WHEREAS, the Township Council of the Township of North Brunswick held a public hearing at which it considered the terms of the Settlement Agreement and approved same and authorized the Mayor of the Township of North Brunswick to execute and the Township Clerk to witness the Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of North Brunswick, that the Mayor is hereby authorized to execute the Settlement Agreement By and Among Fair Share Housing Center Inc, The Township of North Brunswick, The Township of North Brunswick Planning and North Brunswick TOD Associates, LLC which will settle the litigation entitled Fair Share Housing Center Inc. v Township of North Brunswick, et als, under docket numbers MID-L-6495-10 and MID-L-6081-12.

Michael C. Hritz
Director of Community Development

Robert Lombard
Business Administrator

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