

**NORTH BRUNSWICK TOWNSHIP
REGULAR COUNCIL MEETING**

May 4, 2015

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: Volunteer Fireman – Stephen Miller
Galaxy 5 Robotics Team – Champions, First Lego League, Northern NJ
“Municipal Clerk’s Week”
6. Department of Parks, Recreation and Community Services presents: Scholar /Athlete /Artist
Sophia Guerriero and Kaylee Giudice
7. Department of Parks, Recreation and Community Services presents: Earth Day contest winners
8. North Brunswick Historical Society presents: “Happy” video
9. **Consent Agenda:**
 - a. Authorizing the redemption of various Third Party Liens _____ 144-5.15
 - b. Authorizing the reinstatement of installment payments for property owners within
Belcourt at Hidden Lake for Water Service Project _____ 145-5.15
 - c. Authorizing budget transfers for Fiscal Year 2015 Appropriations _____ 146-5.15
 - d. Authorizing the transfer of 2015 Taxi Owner’s Licenses from Mirian Gonzalez d/b/a
Prestige Transport, LLC to Enimia Perez d/b/a Melvis North Brunswick Taxi _____ 147-5.15
 - e. Applying for the New Jersey Department of Environmental Protection Green Acres
Program 2015 Recreation Trails Program Grant _____ 148-5.15
 - f. Authorizing the application of the State of New Jersey, Department of Environmental
Protection, Recycling Tonnage Grant _____ 149-5.15
 - g. Resolution of concurrence by the Township Council of the Township of North Brunswick
designating bus stops on Route 1 _____ 150-5.15
 - h. Authorizing the acceptance of the sale of auctioned abandoned motor vehicles _____ 151-5.15
 - i. Supporting the adoption of an ordinance amending Chapter 205 “Land Use” to make
changes to the Official Zoning Map _____ 152-5.15
 - j. Awarding an adjustment for township residents _____ 153-5.15
 - k. Amending Contract BID14011 with Provident Bank for Primary Banking Services _____ 154-5.15
 - l. Authorizing the purchase of admission tickets for recreation programs under DPR&CS _____ 155-5.15
 - m. Authorizing a Shared Service Agreement with the Borough of Spotswood for the provision
of Vehicle Maintenance Services by the North Brunswick Dept. of Public Works _____ 156-5.15
 - n. Authorizing a Settlement Agreement between the Township of North Brunswick and
Hearthwood at North Brunswick Condominium Association, Inc. and Renaissance
Village I Condominium Association, Inc. _____ 157-5.15
 - o. Authorizing the Award of Contract BID15006 to Applied Landscaping Technologies for
the Site Remediation and Improvements at Veterans Park and a portion of the
adjoining Board of Education Property (PSE&G Easement and Soil Piles)
for the DPR&CS _____ 158-5.15
 - p. Authorizing a Change In Scope to the PSA with T&M Associates appointed as one of the
2015 Township Environmental Engineers to include Contract Administration
And Inspection Services for the Site Remediation and Improvements at Veterans
Park and a portion of the adjoining Board of Education Property (PSE&G
Easement and Miscellaneous Soil Piles) _____ 159-5.15
 - q. Authorizing the execution of a Shared Services Agreement between the Township of
North Brunswick and the City of New Brunswick for Animal Control and Shelter
Services _____ 160-5.15
 - r. Authorizing the application and acceptance of the New Jersey State sponsored Conducted
Energy Device (CED) Assisted Program _____ 161-5.15
 - s. Item of revenue in budget: (Chapter 159):
 - i. New Jersey State Sponsored Conducted Energy Device (CRD)
Assistance Program _____ 162-5.15
 - t. Payment of Bills _____ 163-5.15 163-5.15 163-5.15
10. Approval of minutes: Regular Council Meeting / April 20, 2015
11. **Ordinances / Second Reading / Public Hearing:**
**#15-08 – An Ordinance amending Chapter 205 “Land Use”, to make changes to the Official Zoning
Map of the Township of North Brunswick**

**NORTH BRUNSWICK TOWNSHIP
REGULAR COUNCIL MEETING**

May 4, 2015

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

#15-08

**AN ORDINANCE AMENDING CHAPTER 205
"LAND USE", TO MAKE CHANGES TO THE OFFICIAL ZONING MAP OF THE
TOWNSHIP OF NORTH BRUNSWICK**

BE IT ORDAINED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey, that Chapter 205, Land Use, be amended as follows:

Chapter 205-4, Zoning Map, be amended to include the map changes shown on attached maps A through C, herein made a part of this ordinance.

BE IT FURTHER ORDAINED, that the attached maps 'A' through 'C' reflect changes as follows:

Map 'A', Newton Street, from R-3 Single-Family Residential to ERR Education-Recreation-Research: Block 137, Lots 16 and 17

Map 'B', North Wood Estates, from GO General Office to R-4 Single and Two Family Residential: Block 90.01, Lots 1 through 17; Block 90.02, Lots 1 through 9; and Block 90.03, Lots 1 and 2.

Map 'B', Livingston Avenue, from GO General Office to ERR Education-Recreation-Research: Block 90.01, Lot 35

Map 'C', Route 1, from I-1 Industrial to C-2 General Commercial for all property within these lots that is located within 500 feet from Route 1, as measured perpendicular to the highway: Block 140.01, Lots 3.02, 4, 5.02, 6.02, 6.03 and 7.01

BE IT FURTHER ORDAINED, If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

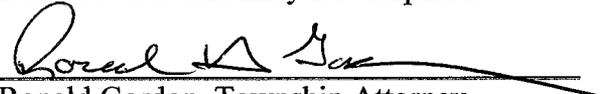
BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage and publication in accordance with applicable law.

TITLE

This Ordinance shall be known and may be cited as the "Ordinance Amending Chapter 205 "Land Use", to Make Changes to the Official Zoning Map of the Township of North Brunswick."

Michael C. Hritz
Director of Community Development

Robert Lombard
Business Administrator

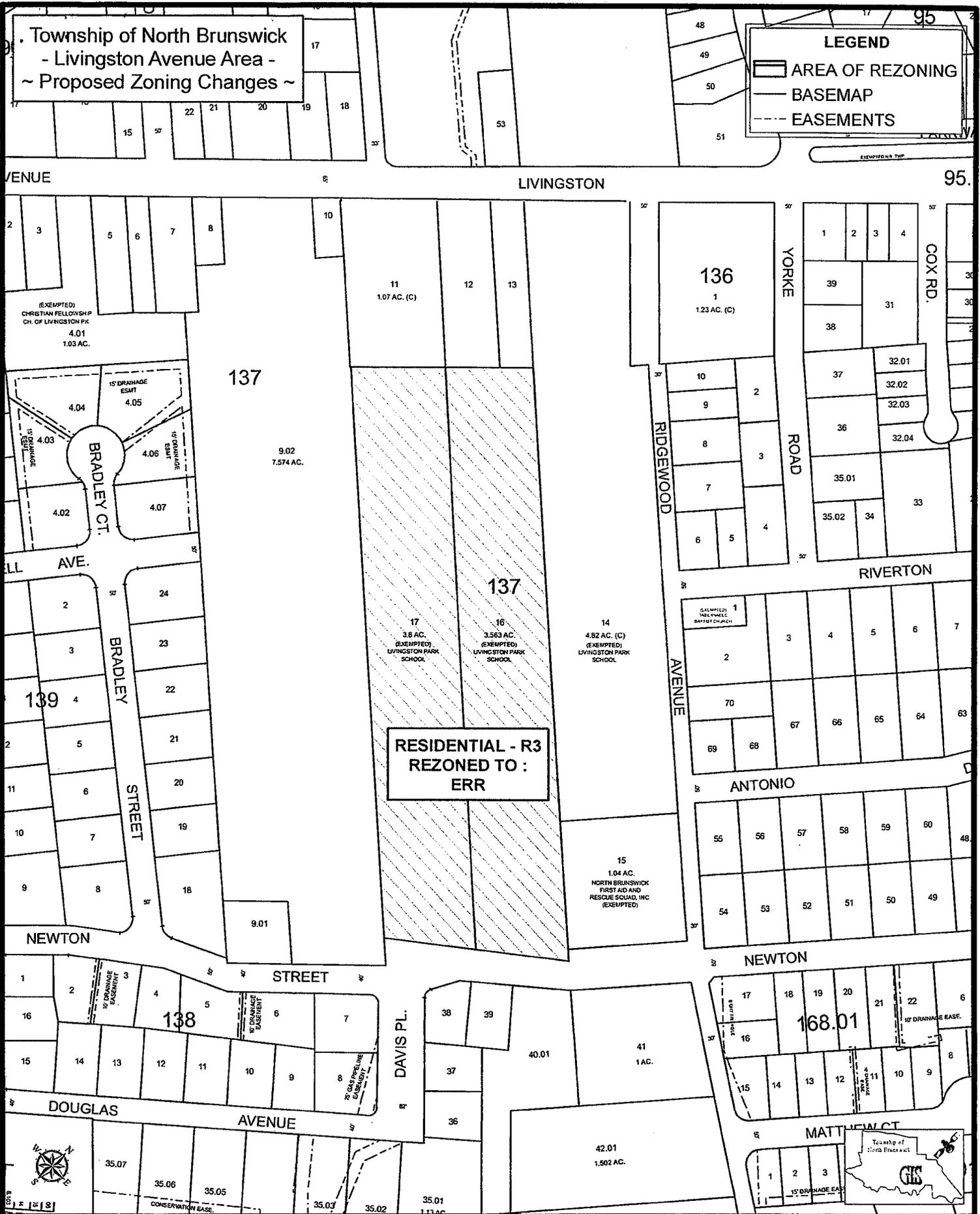


Ronald Gordon, Township Attorney
(Approved legal form)

Township of North Brunswick
 - Livingston Avenue Area -
 ~ Proposed Zoning Changes ~

LEGEND

- AREA OF REZONING
- BASEMAP
- EASEMENTS



Proposed Zoning Changes - Map A

Township of North Brunswick
- Livingston Avenue Area -
~ Proposed Zoning Changes ~

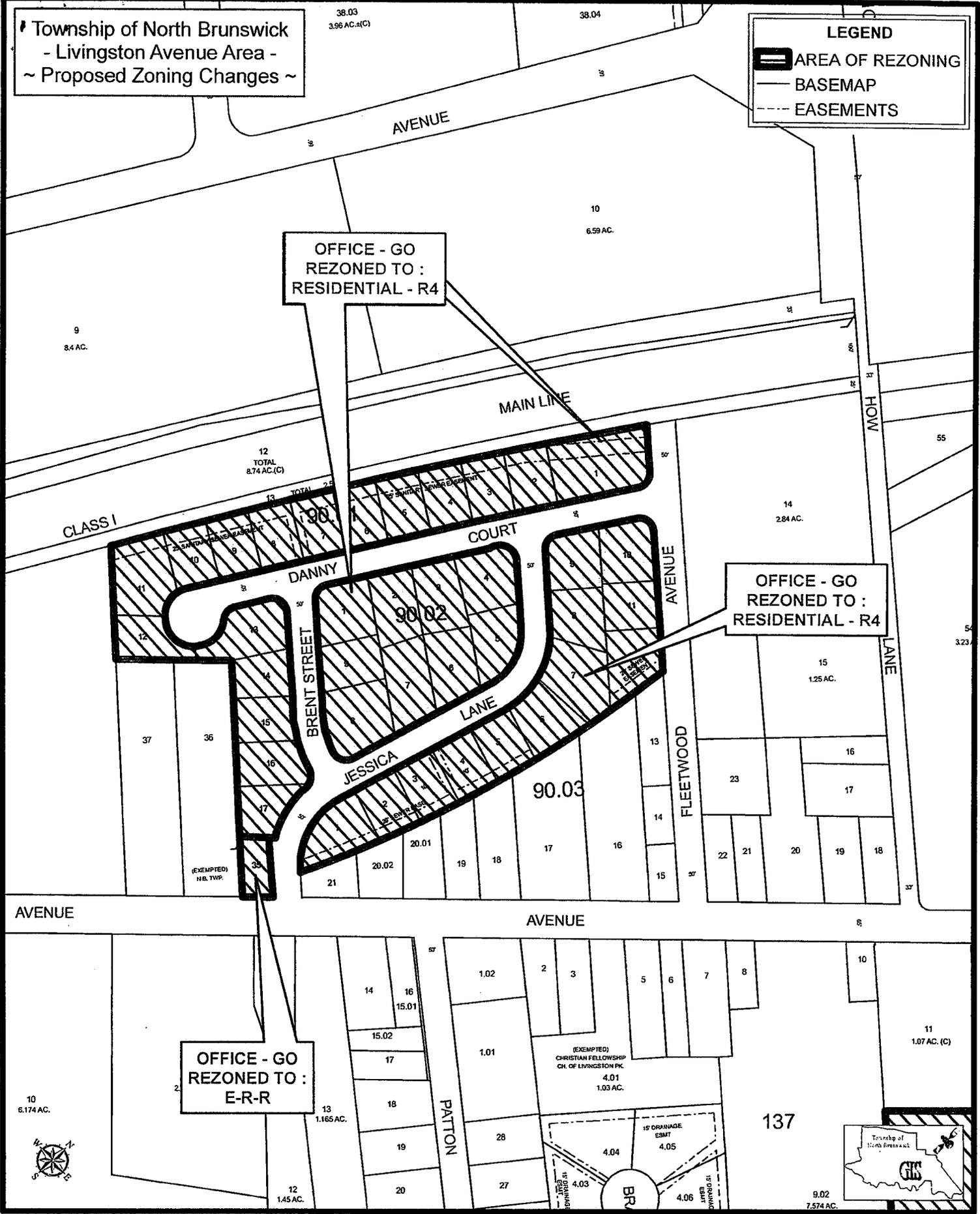
LEGEND

-  AREA OF REZONING
-  BASEMAP
-  EASEMENTS

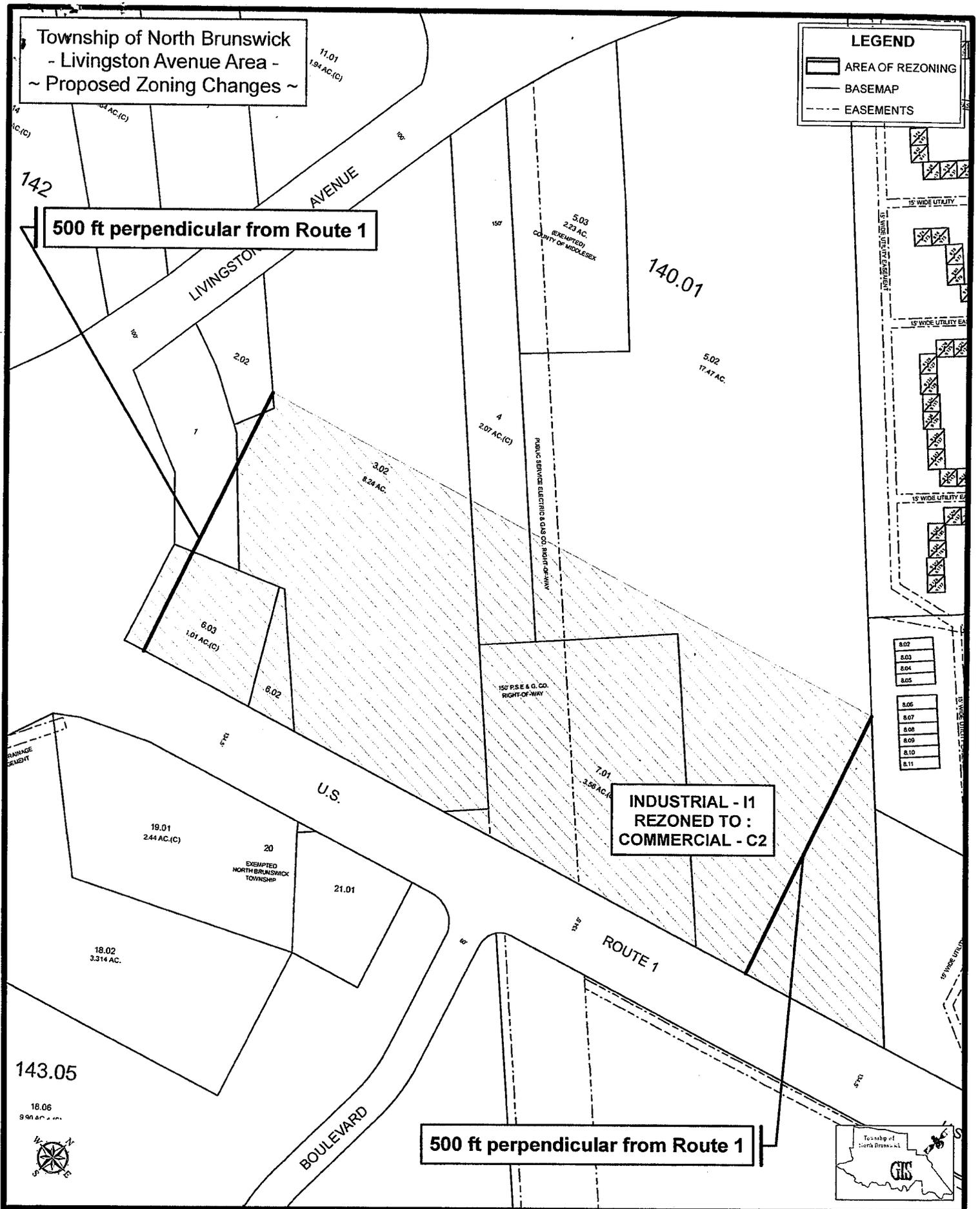
OFFICE - GO
REZONED TO :
RESIDENTIAL - R4

OFFICE - GO
REZONED TO :
RESIDENTIAL - R4

OFFICE - GO
REZONED TO :
E-R-R



Proposed Zoning Changes - Map B



Proposed Zoning Changes - Map C

RESOLUTION NO. 144-5.15

**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

[Signature]

 Robert Lombard
 Township Administrator

[Signature]

 Ronald Gordon, Esq.
 Township Attorney
 Certified as to Form

ROLL CALL

NAME	YES	NO	ABSTAIN	
Ms. Narra	A			
Ms. Nicola 1	✓			
Mr. Corbin	✓			
Mr. Davis	✓			
Mr. Socio 2	✓			
Mr. Andrews	A			
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 May 4, 2015.

[Signature]

 Lisa Russo
 Municipal Clerk

L. K. Hammarstrom
K. Sriranganathan

Lien Holder	Redemption Amount	Certificate #	Block / Lot
Daxuan Wang 11 Walnut Street Livingston NJ 07039 Property Location:	\$ 3,236.68 969 Glenn Avenue	14-00116	170/22
Daxuan Wang 11 Walnut Street Livingston NJ 07039 Property Location:	\$ 2,200.00** 969 Glenn Avenue	14-00116	170/22
Complete Financial Service 75 West Shore Drive, Unit 2 Port Washington, NY 11050 Property Location:	\$ 148.86 171 Darwin Lane	14-00022	4.44/1.1228

Premium paid at tax sale *Legal Fees

RESOLUTION 145 5.15

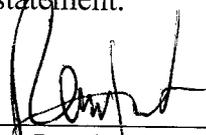
RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK AUTHORIZING THE REINSTATEMENT OF INSTALLMENT PAYMENTS FOR PROPERTY OWNERS WITHIN BELCOURT AT HIDDEN LAKE FOR WATER SERVICE PROJECT

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

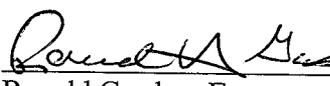
WHEREAS, the installment payment for the Local Improvement Assessment was due October 3, 2014 and pursuant to N.J.S.A.40:56-35, any property owner who fails to pay their installment by the due date of any bill, requires that the full assessment shall be due to and payable, but this same legislation authorizes 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 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



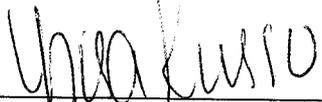
 Ronald Gordon, Esq.
 Township Attorney
 Approved as to legal form

ROLL CALL:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA	A			
NICOLA 1	✓			
CORBIN	✓			
DAVIS	✓			
SOCIO 2	✓			
ANDREWS	A			
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 May 4, 2015.



 Lisa Russo
 Municipal Clerk

e: Y. Hammarstrom
F. Cipot

List of Belcourt at Hidden Lake Property Owners requesting reinstatement -05/04/15

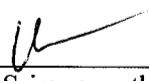
1. 1040 Schmidt Lane

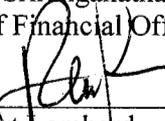
RESOLUTION AUTHORIZING BUDGET TRANSFERS
FOR FISCAL YEAR 2015 APPROPRIATIONS

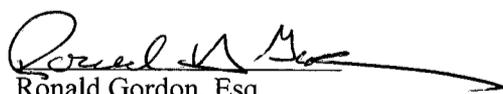
WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriations transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in the excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey, the Chief Financial Officer Kala Sriranganathan, be and the same is hereby authorized to make transfers among the Fiscal Year 2015 Budget as follows:

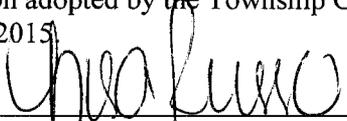
	FROM	TO
STREETS & ROAD - SALT AND SAND		30,000.00
RECYCLING - LEAF BAG PURCHASE	20,000.00	
BLDG & GROUNDS - MAINTENANCE		30,000.00
SOLID WASTE DISPOSAL - O/E	30,000.00	
SANITATION - THIRD PARTY CONTRACT	10,000.00	
GENERAL ADMIN - SALARY & WAGES		20,000.00
MUNICIPAL CLERK - SALARY AND WAGES	4,000.00	
FINANCE- SALARY & WAGES	1,000.00	
TAX ASSESSOR SALARY & WAGES		1,000.00
ENGINEERING SALARY & WAGES		3,000.00
PLANNING SALARY & WAGES		1,200.00
ZONING SALARY & WAGES		500.00
CONSTR. CODE SALARY & WAGES	4,700.00	
SANITATION SALARY & WAGES		10,000.00
STREETS AND ROADS SALARY & WAGES	25,000.00	
BLDG & GROUNDS SALARY & WAGES		15,000.00
SALARY ADJUSTMENTS SALARY & WAGES	17,500.00	
MUNICIPAL COURT SALARY & WAGES		1,500.00
FINAL TOTALS	112,200.00	112,200.00


Kala Sriranganathan
Chief Financial Officer


Robert Lombard
Administrator


Ronald Gordon, Esq.
Township Attorney

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 May 4, 2015.


Lisa Russo
Municipal Clerk


C. K. Sriranganathan

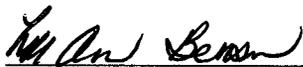

G. Progebin

**RESOLUTION OF THE TOWNSHIP OF NORTH BRUNSWICK
APPLYING FOR THE NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM
2015 RECREATION TRAILS PROGRAM GRANT**

WHEREAS, the Township of North Brunswick Department of Parks, Recreation and Community Services is applying to the New Jersey Department of Environmental Protection for a Recreation Trails Grant in the amount of \$24,000.00 with a cash match of \$4,800.00 totaling \$28,800.00 for the North Brunswick Pulda Farm located at 300 Old Georges Road, North Brunswick; and

WHEREAS, the Department of Parks, Recreation and Community Services, Open Space Committee and Recreation Advisory Committee cooperatively support the additional walking trails and linkage for the Community throughout the Township; and

Now Therefore be it Resolved, that the Township Council of North Brunswick does hereby authorize submission of the 2015 Recreation Trails Grant to the New Jersey Department of Environmental Protection for consideration.



Lou Ann Benson
Director of Parks, Recreation
and Community Services

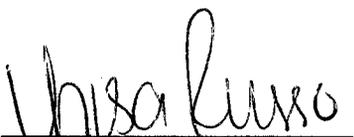


Robert Lombard
Business Administrator



Ronald Gordon
Township Attorney

I, Lisa Russo, Municipal Clerk of the Township of North Brunswick do hereby certify that the foregoing is a true copy of the Resolution passed by the TOWNSHIP COUNCIL of the TOWNSHIP OF NORTH BRUNSWICK at a meeting held on the 4th day of May, 2015.



Lisa Russo
Municipal Clerk

c. Y.A. Benson
M. Tacinelli

**RESOLUTION AUTHORIZING THE APPLICATION OF
THE STATE OF NEW JERSEY,
DEPARTMENT OF ENVIRONMENTAL PROTECTION,
RECYCLING TONNAGE GRANT**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2014 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

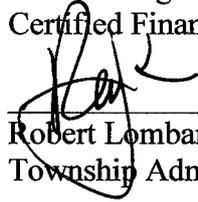
WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of North Brunswick, County of Middlesex hereby endorses the submission of the 2014 Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection and designates The Director of Public Works to ensure that the application is properly filed.

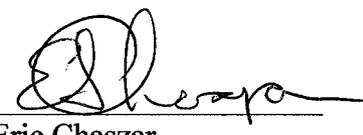
BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling grant fund to be used solely for the purpose of recycling.



Kala Sriranganathan
Certified Finance Officer



Robert Lombard
Township Administrator



Eric Chaszar
Director, DPW

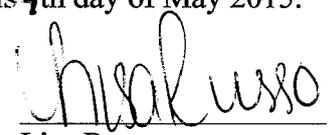


Ronald Gordon
Township Attorney
Certified as to form

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 4th day of May 2015.

*c: E. Chaszar
m. Tacinelli*



Lisa Russo
Township Clerk

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
MS. NARRA	A			
MR. ANDREWS	A			
MR. CORBIN	✓			
MR. DAVIS	✓			
MR. SOCIO 2	✓			
MS. NICOLA 1	✓			
MAYOR WOMACK				

**A RESOLUTION OF CONCURRENCE BY THE TOWNSHIP COUNCIL OF
THE TOWNSHIP OF NORTH BRUNSWICK
DESIGNATING BUS STOPS ON ROUTE 1**

WHEREAS, the Township Council previously approved and adopted Resolution 279-10.14 concurring with the New Jersey Transit's recommendation to establish bus stops along Route 1; and,

WHEREAS, the New Jersey Department of Transportation has requested, following further review, an amendment and supplemental concurrence to reflect a number of changes to the bus stop plan for Route 1, and;

WHEREAS, the bus stop on Route 1 southbound at Commerce Boulevard is not recommended for approval at this time, and;

WHEREAS, the New Jersey Department of Transportation requires a Resolution of Concurrence in order to promulgate the required Traffic Regulation Order designating the bus stops from the Township; and

WHEREAS, both the Traffic Safety Bureau and the Department of Community Development endorse the changes associated with bus stops on Route 1;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of North Brunswick, Middlesex County, State of New Jersey, that in accordance with N.J.S.A. Title 39:4-138.1, the Commissioner of Transportation be requested to adopt a regulation to affect the following Bus Stop Locations on Route 1 and in accordance with the provisions of N.J.S.A. Title 39:4-198, permission is hereby granted to erect appropriate signs at the following Bus Stops:

Added Bus Stops

1. Along Route 1, northbound, on the easterly side thereof at:
 - a. Commerce Boulevard – Near Side
Beginning at a point 66 feet south of the southerly curb line of Commerce Boulevard and extending 105 feet southerly therefrom.
2. Along Route 1, southbound, on the westerly side thereof at:
 - a. North Oaks Boulevard – Near Side
Beginning at the northerly curb line of North Oaks Boulevard and extending 105 feet northerly therefrom.

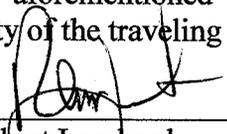
BE IT FURTHER RESOLVED, that the Township of North Brunswick concurs that any approved bus stop locations in conflict with or inconsistent with the provisions of this resolution be rescinded upon approval of the Traffic Regulation Order.

BE IT FURTHER RESOLVED that this resolution shall take effect upon approval of the Commissioner of Transportation as provided by law.

BE IT FURTHER RESOLVED that the Mayor and Council of North Brunswick will enforce the Traffic Regulation Order governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public.



Michael C. Hritz
Director of Community Development



Robert Lombard
Business Administrator



Kenneth McCormick
Director of Public Safety



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

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING THE ACCEPTANCE OF THE SALE OF
AUCTIONED ABANDONED MOTOR VEHICLES**

WHEREAS, the Township of North Brunswick adopted Resolution 125-4.15 on April 6, 2015 authorizing the sale of municipally owned abandoned and/or unclaimed motor vehicles by public auction as set forth on attached list; and

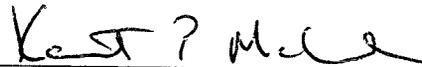
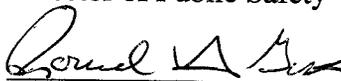
WHEREAS, notice of said auction was duly advertised in the Home News & Tribune on April 09, 2015; and

WHEREAS, bids were received April 24, 2015 and quotes were solicited after the auction for vehicles not bid on as per the attached list.

NOW, THEREFORE, BE IT RESOLVED, on this 4th day of May, 2015, by the Township Council of the Township of North Brunswick, that the respective bids and quotes set forth herein on the aforesaid list are hereby accepted.

BE IT FURTHER RESOLVED, that upon payment in full for the balance of the amount due, the Clerk is hereby authorized to execute the appropriate documents to transfer titles for said motor vehicles to the successful bidder.

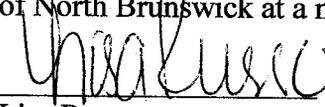

Robert Lombard
Business Administrator


Kenneth McCormick
Director of Public Safety

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

RECORDED VOTE:

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

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township Council of North Brunswick at a meeting duly held on the 4th day of May 2015.


Lisa Russo
Township Clerk

*C. K. McCormick
of Proactive*

152-5.15

**A RESOLUTION SUPPORTING THE ADOPTION OF
AN ORDINANCE AMENDING CHAPTER 205 "LAND USE"
TO MAKE CHANGES TO THE OFFICIAL ZONING MAP**

WHEREAS, the Mayor and Township Council have expressed strong interest and desire to assure the economic vitality of the Livingston Avenue corridor and authorized Maser Consulting to prepare a planning study of Livingston Avenue for redevelopment potential with goals including strengthening the area's economic viability; improving circulation for motor vehicles pedestrians and bicyclists; and assuring there are appropriate transitions to protect adjacent residential neighborhoods; and

WHEREAS, the "2014 Livingston Avenue Corridor Study" is complete and provided a series of recommendations with alternative vision plans and potential redevelopment concepts for the corridor, as well as various recommendations relative to zoning changes within the corridor; and

WHEREAS, the "2014 Livingston Avenue Corridor Study" was fully evaluated by the Planning Board and its various recommendations were discussed in detail; and

WHEREAS, the Planning Board recommends that three (3) amendments be made to the official zoning map of the Township of North Brunswick, while it continues to study and address other recommendations in the study relative to traffic congestion and school enrollments; and

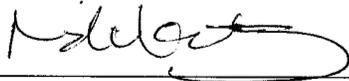
WHEREAS, one (1) of these amendments proposes rezoning Block 140.01, Lots 3.02, 4, 5.02, 6.02, 6.03 and 7.01 from I-1 Industrial to C-2 General Commercial, and this rezoning applies to all property within these lots that is located within 500 feet from Route 1 as measured perpendicular to the highway; and

WHEREAS, while these properties are designated for Industrial use in the Master Plan, the "2014 Livingston Avenue Corridor Study" recommends rezoning these properties to C-2 General Commercial to reflect the existing development pattern along Route 1; the study indicates that several of these lots have dual frontage on both Livingston Avenue and Route 1; and that bisecting these lots will allow for properties fronting on each road to be redeveloped consistent with the distinct identity and character of each roadway; and

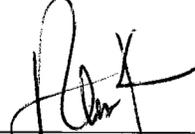
WHEREAS, in accordance with N.J.S.A. 40:55D-62, the Township Council has determined that, despite the fact that the proposed amendments to the zoning ordinance are not consistent with the Land Use element or Housing Plan element of the Master Plan, the amendments should be adopted based on the recommendations of the Planning Board and as identified in the "2014 Livingston Area Corridor Study"; and

WHEREAS, specifically the "2014 Livingston Avenue Corridor Study" recommends rezoning these properties to C-2 General Commercial to reflect the existing development pattern along Route 1; the study indicates that several of these lots have dual frontage on both Livingston Avenue and Route 1; and that bisecting these lots will allow for properties fronting on each road to be redeveloped consistent with the distinct identity and character of each roadway.

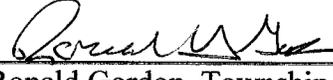
NOW THEREFORE BE IT RESOLVED, on this 4th day of May, 2015, that the Township Council of the Township of North Brunswick, a majority of the full authorized membership agreeing that it does hereby support the recommendation of the Planning Board and the "2014 Livingston Avenue Corridor Study" to the rezoning and amendments to the Official Zoning Map contained in an Ordinance Amending Chapter 205 "Land Use" to Make Changes to the Official Zoning Map of the Township of North Brunswick.



Michael C. Hritz
Director of Community Development



Robert Lombard
Business Administrator



Ronald Gordon, Township Attorney
Approved as to legal form

153-5.15

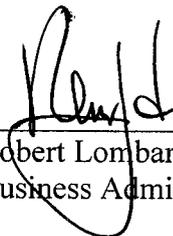
**AMENDED RESOLUTION AWARDING AN ADJUSTMENT
FOR TOWNSHIP RESIDENTS**

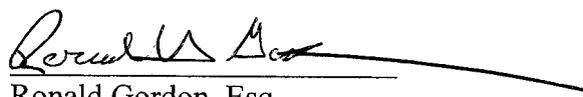
WHEREAS, pursuant to Chapter 352-12 of the Township Code – all claims for deduction from sewer/water bills shall be made in writing to the Mayor and Council of the Township of North Brunswick which has full power to determine such claims, and

WHEREAS, the certain Township residents have requested a refund or adjustment for consumption resulting from the extenuating circumstances provided

N02619800	Water Refund – Duplicate payment	\$585.42
N04043900	Sewer Credit	\$92.78

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of North Brunswick that a Refund or Credit be applied to the resident's next sewer bill.


Robert Lombard
Business Administrator

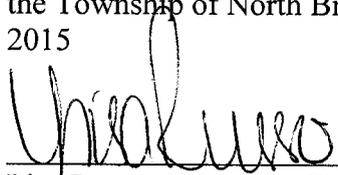

Ronald Gordon, Esq.
Township Attorney
Approved as to Legal Form

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
MS. NARRA	A			
MR. ANDREWS	A			
MR. CORBIN	✓			
MR. DAVIS	✓			
MR. SOCIO 2	✓			
MS. NICOLA /	✓			
MAYOR 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 May 4th, 2015


Lisa Russo, Township Clerk



**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AMENDING CONTRACT BID14011 WITH PROVIDENT BANK
FOR PRIMARY BANKING SERVICES
UNDER THE DEPARTMENT OF FINANCE**

WHEREAS, the Chief Financial Officer under the Department of Finance is responsible for maintaining a Cash Management Plan that includes banking services for municipal funds; and

WHEREAS, the current primary banking services provider (Provident Bank) was authorized a three year contract in February 2015 through a competitive process pursuant to Resolution 65-2.15; and

WHEREAS, the contract with Provident Bank included primary banking services, online and in-person merchant transactions (credit cards); and

WHEREAS, during the implementation process for receiving payment transactions online, an interface issue came up between the Township's software (established with Chase Paymentech Credit Card Processing) and the financial institution; and

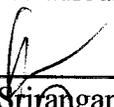
WHEREAS, Provident Bank is in agreement with the Township Chief Financial Officer that the most advantageous solution is for the Township to go with the company that the Township's financial software is set up for processing online credit card payments; and

WHEREAS, in addition, Provident Bank is in agreement with the Township Chief Financial Officer that in-person merchant transactions (credit cards) will continue to be provided under the terms of the contract with Provident Bank (that uses First Data as the provider); and

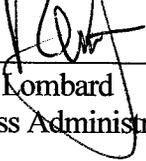
WHEREAS, Provident Bank is has submitted a revised in-person merchant transaction schedule that the Township Chief Financial Officer has reviewed and recommended amending and incorporating into the contract (BID14011).

NOW THEREFORE, BE IT RESOLVED, on this 4th day of May, 2015, the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Clerk to witness an amendment to Contract BID14011 with Provident Bank for banking services, including: removing the online merchant transactions (credit cards) from the contract and including the revised in-person merchant transaction schedule.

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.



Kala Sriranganathan
Chief Financial Officer



Robert Lombard
Business Administrator



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

RECORDED VOTE:

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

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township Council of North Brunswick at a meeting duly held on the 4th day of May 2015.



Lisa Russo
Township Clerk

c: K. Sriranganathan J. Proxbin
Home News

**A RESOLUTION AUTHORIZING THE PURCHASE OF ADMISSION TICKETS
FOR RECREATION PROGRAMS UNDER
THE DEPARTMENT OF PARKS, RECREATION AND COMMUNITY SERVICES**

WHEREAS, the Township of North Brunswick has a need to purchase admission tickets for various recreation programs offered under the Department of Parks, Recreation and Community Services; and

WHEREAS, the Township of North Brunswick, as a local government contracting unit, may purchase goods or services that are original and creative in character as a professional service pursuant to N.J.S.A.40A:11-5 et seq.; and

WHEREAS, the Township of North Brunswick, as a local government contracting unit, may also award contracts, under an alternative process to the Fair and Open process pursuant to N.J.S.A. 19:44A-20.4 et seq., that are proprietary and of a specialized nature; and

WHEREAS, the Township Council hereby authorizes the purchase of admission tickets for various recreation programs offered under the Department of Parks, Recreation and Community Services outlined on the attached list (Schedule A) through this resolution, and properly executed purchase orders, which agreements shall be subject to all conditions applicable to their respective agreement.

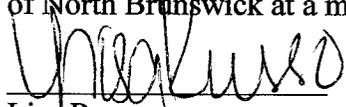
NOW THEREFORE BE IT RESOLVED, the Council of North Brunswick Township, Middlesex County, New Jersey hereby authorizes the following:

1. That this Resolution shall constitute an agreement between the Township of North Brunswick and vendors, as set forth on the attached Schedule A, subject to all terms and conditions applicable to their respective agreement.
2. That the Council hereby authorizes the Purchasing Agent to purchase the items from vendors set forth on Schedule A.
3. That pursuant to the rules of the Local Finance Board of the State of New Jersey, that no amount of said contracts shall be chargeable or certified until such time as goods are acknowledged with a certified Purchase Order.
4. That this agreement shall expire December 31, 2015 or upon expiration of the respective vendors terms, whichever occurs earlier.

RECORDED VOTE:

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

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township Council of North Brunswick at a meeting duly held on the 4th day of May 2015.


Lisa Russo
Township Clerk


C. H. A. Benson
A. Watts
G. Arabin


K. Sringsanathia

Schedule A

Woodbridge – Twp. Arenas of Woodbridge
(Ice Skating)

Keansburg Amusement Park

Tomahawk Lake Inc.

Brunswick Zone Carolier Lanes

Jenkinsons Group Sales

Bowcraft Amusement Park

NJRPA (consignment tickets)

Liberty Science Center

Township of East Brunswick - Crystal Springs

Casino Pier Breakwater Beach

Medieval Times

Lakewood Blueclaws

Freedom Fest State Fair

Somerset Patriots

Treasurer, State of NJ
Island Beach State Park

Fireball Mountain

Madison Square Garden

Bucks County River Country Inc.

Blackbeard Cave

Dutch Springs

Clementon Amusement Park

I Play America

Quarry Swimming Club

Philadelphia Zoo

Rockville Climbing Center

Camelbeach Waterpark Corp.

Franklin Institute Science

RESOLUTION # 157-5.15

RESOLUTION AUTHORIZING A SETTLEMENT AGREEMENT BETWEEN THE TOWNSHIP OF NORTH BRUNSWICK AND HEARTHWOOD AT NORTH BRUNSWICK CONDOMINIUM ASSOCIATION, INC AND RENAISSANCE VILLAGE I CONDOMINIUM ASSOCIATION, INC.

WHEREAS, Hearthwood at North Brunswick Condominium Association, Inc. and Renaissance Village I Condominium Association, Inc. filed a complaint in the Superior Court of New Jersey against the Township of North Brunswick on June 4, 2013 under Docket No.: MID-L-3637-13 challenging the procedure for the way that they were billed for water and sewer services by the Township; and

WHEREAS, the parties have agreed to amicably resolve the litigation by applying a credit towards future condominium association bills and modifying the billing procedure for these two condominium associations; and

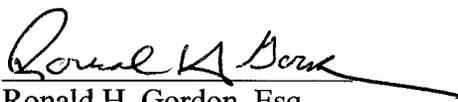
WHEREAS, terms of the settlement agreement between the parties are contained in that certain settlement agreement and release which contains a confidentiality clause.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey, that the settlement agreement and release between the Township of North Brunswick and Hearthwood at North Brunswick Condominium Association, Inc. and Renaissance Village I Condominium Association, Inc. is hereby authorized and approved subject to the review and approval of the Township Attorney; and

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to execute said settlement agreement and to execute any and all further documents necessary to effectuate the settlement of this matter.



Robert Lombard
Business Administrator

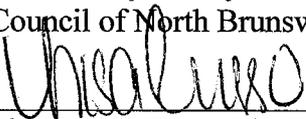


Ronald H. Gordon, Esq.
Township Attorney
Certified as to Form

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA	A			
NICOLA 1	/			
DAVIS	/			
CORBIN	/			
SOCIO 2	/			
ANDREWS	A			
MAYOR WOMACK				

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township Council of North Brunswick at a meeting duly held on the 4th day of May , 2015.



Lisa Russo, Township Clerk

Dated: May 4, 2015

C. R. Gordon, Esq.

**HEARTHWOOD AT NORTH BRUNSWICK CONDOMINIUM ASSOCIATION, INC.
RENAISSANCE VILLAGE I CONDOMINIUM ASSOCIATION, INC.
TOWNSHIP OF NORTH BRUNSWICK
AMERICAN WATER ENTERPRISES, INC.**

SETTLEMENT AGREEMENT AND RELEASE

THIS SETTLEMENT AGREEMENT AND RELEASE (the “Agreement”) is made by and among Hearthwood at North Brunswick Condominium Association, Inc., a New Jersey non-profit corporation, with offices at c/o Premier Management Associates, 850-870 Route 1 North, North Brunswick, New Jersey 08902; Renaissance Village I Condominium Association, Inc. with offices at c/o Midlantic Property Management, 315 Raritan Avenue, Highland Park, NJ 08904 (collectively referred to herein as the “Associations”); The Township of North Brunswick, with offices at 710 Hermann Road, North Brunswick, New Jersey 08902 (the “Township”); and American Water Enterprises, Inc., on its behalf and on behalf of American Water Services, Inc./ JJS Management Services, LLC , with offices at 13 Briarcrest Square, Hershey, Pennsylvania (collectively referred to herein as “AWE”).

WHEREAS, the Associations disputed the manner in which they were billed for water and sewer services by the Township and AWE as set forth in the complaint filed on June 4, 2013 captioned, Hearthwood at North Brunswick Condominium Association, Inc and Renaissance Village I Condominium Association Inc. v. The Township of North Brunswick and American Water Works Company, Inc., MID-L-3637-13 (the “Lawsuit”); and

WHEREAS, the Associations, the Township, and AWE (collectively the “Parties”) have agreed to amicably resolve the Lawsuit, and;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the Parties agree as follows:

1. **Effective Date.** The Effective Date of this Agreement is May 1, 2015.
2. **Payment.** Upon the Effective Date of this Agreement, the Township shall direct AWE to apply a credit toward payment due on the bills for water and sewer services issued to the Associations in the amount of \$12,000.00 per year for five years for a total credit of \$60,000.00. The credit shall be applied as follows: Hearthwood at North Brunswick Condominium Association shall receive an annual credit of \$4,800.00 and Renaissance Village I Condominium Association shall receive an annual credit of \$7,200.00. The Township and AWE may pro rate this credit and divide the annual credit by the number of bills issued each year and apply the apportioned credit to each bill issued to the Associations or in some other manner that they decide, in their sole discretion, is most efficient and cost-effective, as long as a total credit of \$60,000.00 (\$24,000.00 to Hearthwood at North Brunswick Condominium Association, Inc and \$36,000.00 to Renaissance Village I Condominium Association, Inc.) is applied to the Associations during the five year period commencing from the Effective Date of this Agreement.
3. **Billing Modifications.** Commencing upon the Effective Date of this Agreement, the Township and AWE will implement billing software modifications in accordance with the Specifications attached as **Exhibit A** and incorporated herein.
4. **Limited Release by the Associations.** Except for any obligations set forth in this Agreement, the Associations, on behalf of themselves and their respective officers, directors, employees, members, and agents hereby release and discharge Township and AWE and all of their subsidiaries, affiliates and related entities, any and all past and present officers, directors, members, shareholders, agents, and employees from and against any and all liabilities, damages, promises, covenants, agreements, causes of action, judgments, claims, or determinations in law or in equity or any costs or expenses including, any and all claims which the Associations ever

had, now have, or hereinafter may have, whether known or unknown, against the Township or AWE, from the beginning of the world to the Effective Date of this Agreement, relating to billing the Associations for water and sewer services, including but not limited to those facts, circumstances, and claims identified in the pleadings filed in the Lawsuit.

5. **No Admission of Liability.** This Agreement and the Exhibit(s) attached hereto shall not constitute an admission of liability or serve as evidence of liability on the part of the Associations, the Township, or AWE.

6. **Confidentiality.** The Parties acknowledge and agree that unless directed to do so by court order or for other legally obligated purposes, they will not disclose, either directly or indirectly, in any manner whatsoever, any information regarding the terms of this Agreement to anyone, unless the Party making the disclosure has been compelled to do so pursuant to the order of a court of competent jurisdiction or as necessary to enforce the terms of this Agreement. In order to allow the other Parties to protect their interests and the confidentiality of this Agreement, any Party served with a request to make disclosure of the terms of this Agreement shall, within seven (7) days of the receipt of a request which could lead to a court order compelling disclosure, notify the other Party of the request, unless seven (7) days-notice would not permit sufficient time in which to allow the other Parties to assert any interest in prohibiting disclosure of the terms or negotiations concerning this settlement, in which case the Party being requested to make the disclosure shall give notice to the other Parties as soon as possible. Notwithstanding anything to the contrary in this paragraph, the Parties hereby agree that they may disclose the terms of this Agreement without prior notice as follows: (1) to regulatory governmental authorities as may be required by applicable rules and regulations; (2) to any taxing authority; and (3) the Associations may disclose this Settlement Agreement and Release as necessary to

conduct their business; and the Associations and/or their governing board and/or their property management agent may make disclosure to the Associations' professionals including their auditing firms.

7. **Delivery of Dismissal with Prejudice.** Counsel for the Associations shall provide opposing counsel with an executed dismissal with prejudice of the Lawsuit upon receipt of a copy of this Agreement signed by the Township and AWE. The Associations hereby authorize counsel for the Township to file said dismissal with the court and enter same as a matter of record. The Parties expressly reserve and do not waive their right to file a lawsuit against each other for breach of this Agreement.

8. **Intent.** It is the intent of this Agreement to implement the agreed upon method and manner of billing the Associations for water and sewer services. To that end, the Township and AWE agree that the terms of this Agreement are binding upon their successors and/or assigns. In addition, the Township and AWE will incorporate the terms of this Agreement into any new contract between them for the provision and billing for water and sewer services to the Associations, and the Township will incorporate the terms of this Agreement into any future contract related to the provision and billing for water and sewer services to the Associations. If there is any change to the Township's ordinances after this Agreement is executed, to the extent permitted by law, the Township will charge and bill the Associations for water and sewer services as if each unit was individually metered and at the same rates as other condominiums within the Township, meaning that the per unit charge for water and sewer services for the Associations will be the same as the per unit charge for other condominium unit owners located within the Township.

9. **Miscellaneous**

- a. Simultaneous with the signing of this Agreement, each Association shall also adopt a resolution (attached as Exhibit "B") by which the Board of Trustees authorizes the execution of this Agreement and ratifies the settlement contemplated herein.
- b. The Township, AWE, and the Associations understand and agree that they were represented by separate and independent legal counsel in connection with the settlement of any and all claims among them which are addressed in this Agreement, as well as the drafting and execution of this Agreement. Each Party's respective legal counsel has fully explained the terms of this Agreement to their respective clients. The Parties understand and agree that this is a full and final settlement with respect to the matters included within this Agreement. The Parties understand and agree that they are entering into this Agreement in order to avoid the time and expenses of continued litigation related to the matters included within this Agreement and the Lawsuit only.
- c. The Associations accept the promises and covenants set forth in the Agreement in full satisfaction and discharge of all rights and/or claims now and forever due and owing with respect to the matters included within this Agreement and the Lawsuit only.
- d. This Agreement shall be binding upon all successor Boards of Trustees for the Associations, their successors and/or assigns.
- e. Each Party will pay its own legal fees and other costs and expenses incident to this Agreement and the Lawsuit.

- f. This Agreement including any Exhibit(s) attached hereto contains the entire agreement among the Parties as to the settlement of their disputes, with respect to the matters included within this Agreement only, and no amendment, modification or addendum to this Agreement shall be effective unless in writing dated subsequent to the date hereof and executed by the duly authorized officers of the Parties. The requirement for such a writing shall apply to any waiver of the requirement of a written modification pursuant to this paragraph and shall be deemed an essential term of the Agreement.
- g. This Agreement is to be construed on a parity basis. This Agreement is the result of a negotiated settlement, and the identity of the draftsman will not be utilized in interpreting the meaning of any of the provisions of this Agreement.
- h. The individuals executing this Agreement on behalf of the respective Parties represent that they are authorized to execute this Agreement on behalf of their respective municipal entity, corporations or limited liability companies in accordance with the validly adopted corporate or limited liability company resolution of the Board of Directors or Board of Trustees of each of the respective corporations or limited liability companies. The Parties represent that they have the requisite authority and ability to implement the terms of this Agreement.
- i. All notices, requests or other communications required or permitted hereunder will be given in writing and will be deemed to have been duly given if delivered by facsimile transmission on the date set forth in the telecopier-generated confirmation, or if delivered by hand on the date of receipt (or refusal), and if given by mail or Federal Express or similar nationally-recognized expedited

overnight commercial courier, when deposited in the United States mail or delivered to Federal Express or similar nationally-recognized expedited overnight commercial courier, addressed to the recipient of the notice, postage paid and registered or certified mail (if mailed), or with all freight charges paid (if by Federal Express or other courier) to the following address(es):

If to the Associations:

Hearthwood at North Brunswick
Condominium Association, Inc.,
c/o Premier Management Associates,
850-870 Route 1 North,
North Brunswick, New Jersey 08902

Renaissance Village I Condominium Association, Inc.
c/o Midlantic Property Management
315 Raritan Avenue
Highland Park, NJ 08904

With a copy to:

McGovern Legal Services, LLC
Attn: Patricia Hart McGlone, Esq.
850 U.S. Highway 1
North Brunswick, NJ 08902

and

Tomas Giaimo, Esq.
Giaimo & Associates
97 E. River Road
Rumson, NJ 07760

If to the Township:

The Township of North Brunswick
Attn:
700 Hermann Drive
North Brunswick, NJ 08902

With a copy to:

Ronald H. Gordon, Esq.
DeCotis, Fitzpatrick & Cole, LLP
Glenpointe Centre West
500 Frank W. Burr Blvd., Suite 31
Teaneck, NJ 07666

If to AWE:

American Water Enterprises, Inc.,
ATTN: General Counsel
330 Fellowship Road
Mt. Laurel, New Jersey 08054

With a copy to:

Francis X. Manning, Esq.
Stradley, Ronon, Stevens & Young, LLP
Liberty View
457 Haddonfield Road, Suite 100
Cherry Hill, NJ 08002

or to such other address as any Party may have designated for itself by written notice to the other Parties in the manner herein prescribed, except that notices of changes of address will be effective only upon receipt.

- j. The captions and other headings contained in this Agreement in connection with articles, sections, paragraphs or other subdivisions contained herein are inserted for convenience of reference only and are in no way to be construed as part of this Agreement or as limitations on the scope of the particular articles, sections, paragraphs, other subdivisions to which they refer, and will not affect the interpretation or meaning of this Agreement.
- k. This Agreement will be governed by, and construed and enforced in accordance with, the laws of the State of New Jersey.

- l. The Parties agree to cooperate and execute any and all agreements or other documents that may be necessary in order to effectuate the intent of this Agreement.
- m. This Agreement may be executed in counterparts. For purposes of this Agreement, a scanned, e-mailed, or faxed signature is deemed equivalent to an original signature.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the dates indicated.

Attest:

HEARTHWOOD AT NORTH
BRUNSWICK CONDOMINIUM
ASSOCIATION, INC.

By: _____, President

Date: _____

Attest:

RENAISSANCE VILLAGE I
CONDOMINIUM ASSOCIATION, INC.

By: _____, President

Date: _____

Exhibit A

**BILLING MODIFICATIONS
HEARTHWOOD / RENAISSANCE V TOWNSHIP OF NORTH BRUNSWICK**

1. The billing for all Water and Sewer accounts for Renaissance and all Water and Sewer accounts for Hearthwood will be done on a quarterly billing basis.
2. All of the Water and Sewer accounts for both Renaissance and Hearthwood will be billed using the following methodology:
 - a. The Service Charge will be billed based on the size of the meter as is currently being done, except on a quarterly rather than monthly basis, one quarter of the annual amount for quarterly read meters as specified for the meter size in the North Brunswick Water Ordinance (currently Chapter 352). The amount of the quarterly service charge to be billed will be as set forth in the North Brunswick Water Ordinance at the time of the billing. There is no current separate service charge for sewer billing.
 - b. The total amount of water used in a quarter (3 month period) will be used to calculate the Water and Sewer Consumption Charges on a new method of calculating the amount of water to be billed at each of the three Consumption Tiers as follows:
 - i. The amount of consumption for each account to be billed in the first Consumption Tier (Tier 1) will be the lesser of the Total Quarterly Consumption or the total amount of Consumption to be billed in the first Consumption Tier set forth in the North Brunswick Water Ordinance and the North Brunswick Sewers Ordinance (currently Chapter 276) at the time of the billing, multiplied by the number of units served through the master meter for that account. The current Tier 1 usage is for the first 1,200 Cubic Feet for both water and sewer billing. The rate the consumption in Tier 1 will be billed at will be as set forth in the North Brunswick Water and Sewers Ordinances at the time of the billing for Tier 1.
 - ii. The amount of consumption for each account to be billed in the second Consumption Tier (Tier 2) will be the lesser of the Total Quarterly Consumption less the amount of consumption billed for in Tier 1 or the total amount of Consumption to be billed in the second Consumption Tier (Tier 2) set forth in the North Brunswick Water and Sewer Ordinances at the time of the billing, currently the next 2,400 Cubic Feet (1,201 Cubic Feet through 3,600 Cubic Feet) for both water and sewer billing, multiplied by the number of units served through the master meter for that account. The rate the consumption in Tier 2 will be billed at will be as set forth in the North Brunswick Water and Sewers Ordinances at the time of the billing for Tier 2.
 - iii. The amount of consumption for each account to be billed in the third Consumption Tier (Tier 3) will be the Total Quarterly Consumption less the sum of the amount of consumption billed for in Tier 1 and in Tier 2 used for both water and sewer billing. The rate the consumption in Tier 3 will be billed at will be as set forth in the North Brunswick Water and Sewers Ordinances at the time of the billing for Tier 3.

Exhibit B

HEARTHWOOD AT NORTH BRUNSWICK CONDOMINIUM ASSOCIATION, INC.

**RESOLUTION NO. _____
RELATING TO SETTLEMENT WITH TOWNSHIP OF NORTH BRUNSWICK
AND AMERICAN WATER ENTERPRISES, INC.**

WHEREAS, the Board of Trustees (the “Board”) of Hearthwood at North Brunswick Condominium Association, Inc. (the “Association”) is charged by the Association’s Master Deed and By-laws with responsibility and authority to manage and oversee the Common Elements of the Association; and

WHEREAS, the Board is desirous of having the Township of North Brunswick and American Water Enterprises, Inc. modify its billing methods for water and sewer services; and

WHEREAS, the Association filed a lawsuit entitled Hearthwood at North Brunswick Condominium Association, Inc and Renaissance Village I Condominium Association Inc. v. The Township of North Brunswick and American Water Works Company, Inc., MID-L-3637-13; and

WHEREAS, the Board having agreed to resolve their differences as set forth in a Settlement Agreement and Release between The Township of North Brunswick, American Water Enterprises, Inc. and American Water Services, Inc./ JSS Management Services, LLC (the “Settlement Agreement”) dated _____, 2015; and

WHEREAS, the Board is satisfied that the Settlement Agreement accurately states the understandings reached with the parties;

NOW, THEREFORE, be it resolved:

1. That the President of the Board be and is hereby authorized and empowered to execute the Settlement Agreement and Release on behalf of the Board and to bind the Board as to all the issues pertaining to the items addressed in the Settlement Agreement.

2. That the Board ratifies and approves the terms and provisions of the Settlement Agreement in the settlement of this matter.

3. That the individual Members of the Association are bound by the terms of this Resolution and the Settlement Agreement as they pertain to the Common Elements of the Association.

Duly adopted this _____ day of _____, 2015

Certified to be a true copy of a
Resolution adopted on

_____, 2015.

, Secretary

HEARTHWOOD AT NORTH BRUNSWICK CONDOMINIUM ASSOCIATION, INC.

Resolution Type: Special No. _____

Pertaining To: Settlement with Township of North Brunswick and American Water

Duly adopted at a meeting of the Board of Trustees of Hearthwood at North Brunswick Condominium Association, Inc. held this ___ day of _____, 2015

Officer

Vote:

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
_____, Trustee	_____	_____	_____	_____
_____, Trustee	_____	_____	_____	_____
_____, Trustee	_____	_____	_____	_____
_____, Trustee	_____	_____	_____	_____
_____, Trustee	_____	_____	_____	_____

Attest:

Hearthwood at North Brunswick
Condominium Association, Inc.

, Secretary

, President

Book of Minutes -
Book of Resolutions:

Policy

Book No.

Page No.

Insert Resolution for Renaissance Village I Condominium Association, Inc.

**A RESOLUTION OF THE TOWNSHIP OF NORTH BRUNSWICK
AUTHORIZING THE AWARD OF CONTRACT BID15006
TO APPLIED LANDSCAPE TECHNOLOGIES
FOR THE SITE REMEDIATION AND IMPROVEMENTS AT
VETERANS PARK AND A PORTION OF
THE ADJOINING BOARD OF EDUCATION PROPERTY
(PSE&G EASEMENT AND SOIL PILES) FOR THE
DEPARTMENT OF PARKS, RECREATION, AND COMMUNITY SERVICES**

WHEREAS, in 2003, the North Brunswick Township Board of Education (BOE) started the process of enlarging and renovating the North Brunswick Township High School, and, during construction of the new High School addition in July 2003, waste material predominantly containing pharmaceutical and laboratory vials and other laboratory glassware was unearthed in the soils; and

WHEREAS, the contaminated soil has since been removed from the High School and Plains Gap residential properties, leaving soil at Veterans Park, the PSE&G easement and miscellaneous soil piles (located on the adjoining BOE property) need to be remediated; and

WHEREAS, the Veterans Park and High School remediation project was delayed due to ongoing litigation and settlement process; and

WHEREAS, the Governing Body has previously authorized settlements of the related litigation and has received sufficient funding from the settling parties to commence the remediation of Veterans Park, and of the Board of Education's PSE&G easement and miscellaneous soil piles; and

WHEREAS, the Governing Body previously authorized an Agreement with the engineering firm T&M Associates to provide LSRP, Design and Bid Phase services for the Veterans Park Remediation and Improvements Project; and

WHEREAS, T&M Associates met with various Township and Board of Education officials and prepared the necessary documents to receive bids for said project under BID15006; and

WHEREAS, on March 16, 2015 the Township Council approved Resolution 111-3.18 authorizing advertisement for receipt of bids for site remediation and improvements at Veterans Park and a portion of the adjoining Board of Education Property (PSE&G Easement); and

WHEREAS, the Municipal Clerk witnessed the receipt of two bids on April 21, 2015 from:

Black Rock Enterprises, LLC (1316 Englishtown Road, Old Bridge NJ 08857) with a base bid of \$7,322,002.50 for Items 1 through 93, \$90,745.00 for Alternate "A" and \$188,813.00 for Alternate "B" and

Applied Landscape Technologies (145 River Road, Montville, NJ 07045) with a base bid of \$8,898,283.00 for Items 1 through 93, \$83,525.00 for Alternate "A" and \$196,175.00 for Alternate "B"; and

WHEREAS, the lower bidder Black Rock Enterprises, LLC notified T&M Associates they misinterpreted the scope of work with regards to the removal of contaminated soil and requested their bid be removed from consideration; and

WHEREAS, T&M Associates, Engineers for this project, the Purchasing Agent and Legal Counsel have reviewed the qualifications and bid submitted by Applied Landscape Technologies 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

WHEREAS, the soil remediation portion of the project cost will be funded from the settlement proceeds from litigation and park improvements will be funded from existing capital and trust account funding; and

WHEREAS, there is insufficient funding at this time to include Alternates "A" and "B" as part of this contract.

NOW THEREFORE, BE IT RESOLVED, that the bid submitted by Applied Landscape Technologies 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 Applied Landscape Technologies for site remediation and improvements at Veterans Park and a portion of the adjoining Board of Education Property (PSE&G Easement), Contract BID15006, in the amount of \$8,898,283.00 for Items 1 through 93 inclusive, exclusive of Alternates "A" and "B" which shall not be awarded under this contract at this time.

CERTIFICATION

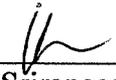
I, Kala Sriranganathan, Chief Financial Officer of the Township of North Brunswick, certify that funds in the following accounts totaling \$8,898,283.00 are available under Contract BID15006:

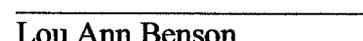
Soil Remediation: \$4,579,720.00

\$2,400,000.00 are available in attorney trust account at Hoagland, Longo, Moran, Dunst & Doukas, LLP
 \$2,179,720.00 are available in soil remediation reserve account 5-04-65-400-000-002

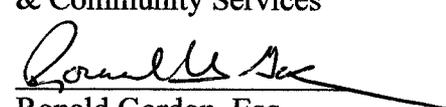
Park Improvements: \$4,409,563.00

\$12,171.34 are available in the FY2003 02-38 Capital account C-04-55-C03-012-251,
 \$1,333,632.23 are available in the FY2005 04-05 Capital account C-04-55-C04-021-301,
 \$90,139.01 are available in the FY2005 04-26 Capital account C-04-55-C05-261-121,
 \$84,204.16 are available in the FY2005 04-28 Capital account C-04-55-C05-282-151,
 \$4,576.30 are available in the FY2007 06-15 Capital account C-04-55-C07-615-601,
 \$95,418.31 are available in the FY2009 08-23 Capital account C-04-55-C09-823-601,
 \$31,000.00 are available in the FY2011 10-06 Capital account C-04-55-C10-006-102,
 \$2,530,637.00 are available in the FY2015 14-10 Capital account C-04-55-C15-141-401,
 \$68,818.69 are available in the Developers Parkland Contribution D-33-56-850-009-001,
 \$8,965.96 are available in Open Space Program Income D-33-56-850-009-002,
 \$150,000.00 are available in Tree Preservation Trust D-33-56-850-009-004.


 Kala Sriranganathan
 Chief Financial Officer


 Lou Ann Benson
 Director of Parks, Recreation
 & Community Services

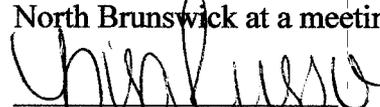

 Robert Lombard
 Business Administrator


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

RECORDED VOTE:

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

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township Council of North Brunswick at a meeting duly held on the 4th day of May 2015.


 Lisa Russo
 Township Clerk

C: Y.A. Benson
 Home News
 J. Proglin
 K. Sriranganathan

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING A CHANGE IN SCOPE TO THE PROFESSIONAL SERVICE
AGREEMENT WITH T&M ASSOCIATES APPOINTED AS ONE OF THE 2015
TOWNSHIP ENVIRONMENTAL ENGINEERS TO INCLUDE CONTRACT
ADMINISTRATION AND INSPECTION SERVICES
FOR THE SITE REMEDIATION AND IMPROVEMENTS AT
VETERANS PARK AND A PORTION OF
THE ADJOINING BOARD OF EDUCATION PROPERTY
(PSE&G EASEMENT AND MISCELLANEOUS SOIL PILES)**

WHEREAS, resolution 16-1.15 approved by the Township Council authorized T&M Associates, with offices at Eleven Tindall Road, Middletown, New Jersey 07748, to provide environmental engineering consulting services for calendar year 2015, 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, in 2003, the Board of Education (BOE) started the process of enlarging and renovating the North Brunswick Township High School, and during construction activities of the new High School addition in July 2003, waste material predominantly containing pharmaceutical and laboratory vials and other laboratory glassware was unearthed in the soils; and

WHEREAS, in 2003, on behalf of the BOE and the Township, Powell-Harpstead, Inc. (currently Kleinfelder) conducted a remedial investigation at the High School, Veterans Park and surrounding areas; and

WHEREAS, the contamination has since been removed from the High School and Plains Gap residential properties, leaving Veterans Park and the PSE&G easement and miscellaneous piles of soil located on the adjoining BOE property to be remediated; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) has approved the Remedial Action Workplan (RAW) and the Supplement proposed by Kleinfelder Associates for the removal of hotspots and the installation of engineering controls for the area within Veterans Park and the Board of Education's PSE&G easement that was impacted with waste material; and

WHEREAS, Veterans Park remediation was delayed due to ongoing litigation and settlement process with other possible responsible parties; and

WHEREAS, with the completion and settlement of litigation with other third party responsible parties, the Township has received sufficient funding to initiate the process of remediating Veterans Park, the PSE&G easement and miscellaneous soil piles; and

WHEREAS, in 2014, the Township Council of the Township of North Brunswick authorized and appointed the engineering firm T&M Associates to provide LSRP, Design and Bid Phase services for the Veterans Park Remediation and Improvements Project; and

WHEREAS, T&M Associates met with various Township officials and prepared the necessary documents to receive bids for said project under BID15006; and

WHEREAS, on March 16, 2015 the Township Council approved Resolution 111-3.18 authorizing advertisement for receipt of bids for site remediation and improvements at Veterans Park and a portion of the adjoining Board of Education Property (PSE&G Easement and miscellaneous soil piles); and

WHEREAS, the Municipal Clerk witnessed the receipt of two bids on April 21, 2015 and the Township is making a recommendation for award at the May 4, 2015 Council Meeting; and

WHEREAS, at the request of the Township, T&M has provided a proposal for Contract Administration and Inspection Services to continue with this project; and

WHEREAS, compensation for said services shall be based upon their April 20, 2015 proposal, to be paid upon submission of monthly invoices, for an amount not to exceed \$372,000.00 (\$300,000.00 for non-LSRP Services and \$72,000.00 for LSRP Services) for a revised contract authorization amount of \$372,000.00; and

WHEREAS, services for this project will be funded from settlement proceeds (site remediation portion) and existing capital existing capital ordinance 14-10 (park improvements portion).

NOW, THEREFORE, BE IT RESOLVED on this 4th day of May, 2015 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 T&M Associates for Contract Administration and Inspection Services, including LSRP Services, relating to BID15006 for the Remediation and Improvement at Veterans Park and a portion of the adjoining BOE property (PSE&G easement and miscellaneous soil piles); and

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 of the Township of North Brunswick, certify that funds in the following accounts totaling \$372,000.00 are available under Contract PRO15035:

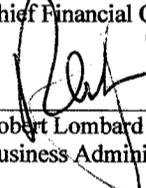
Soil Remediation (50% 150,000.00) and LSRP (\$72,000.00) = \$222,000.00

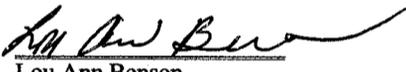
\$222,000.00 are available in soil remediation reserve account 5-04-65-400-000-002

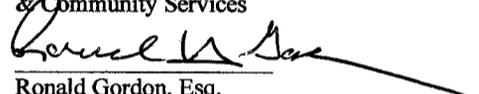
Park Improvements (50% 150,000.00)

\$150,000.00 are available in the FY2015 14-10 Capital account C-04-55-C15-141-401,


Kala Sriranganathan
Chief Financial Officer


Robert Lombard
Business Administrator

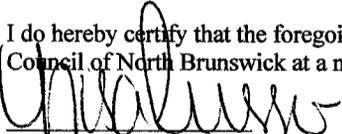

Lou Ann Benson
Director of Parks, Recreation
& Community Services


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

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
NARRA	A			
NICOLA	/			
CORBIN	✓			
DAVIS	✓			
SOCIO	2			
ANDREWS	A			
MAYOR WOMACK				

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township Council of North Brunswick at a meeting duly held on the 4th day of May 2015.


Lisa Russo
Township Clerk

*c. h. a. Benson
g. Prugel
& Sriranganathan
Home News*

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING THE APPLICATION AND ACCEPTANCE OF THE NEW JERSEY
STATE SPONSORED CONDUCTED ENERGY DEVICE (CED) ASSISTANCE PROGRAM**

WHEREAS, while there currently are more than 400 conducted energy devices – commonly known as “stun guns” – deployed by law enforcement agencies across New Jersey, including police departments in most counties, county prosecutors and police chiefs have indicated that the high cost of stun guns is a primary reason why the devices are not being utilized in greater numbers with the cost of a state-approved stun gun, with accessories and related equipment totaling approximately \$2,500 per unit; and

WHEREAS, in June 2014, Acting Attorney General John J. Hoffman announced that the Attorney General’s Office is providing \$1 million in funding to assist law enforcement agencies in purchasing stun guns, which can serve as a lifesaving alternative to deadly force in certain crisis situations; and

WHEREAS, by the State distributing \$1 million to qualifying agencies over the next year through the county prosecutors’ offices, the Attorney General’s Office’s goal is to reduce the cost of stun guns so police departments can increase the number of devices available to their officers; and

WHEREAS, the Township previously applied for participation in the State sponsored CED Assistance Program, which covers a percentage of three stun guns and related equipment on a sliding scale; and

WHEREAS, the Township has received notification for approval of funding to offset the purchase of three stun gun and related equipment totaling \$5,080.92.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey hereby recognizes the following:

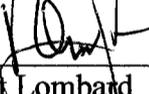
1. The Township Council does hereby authorize application and acceptance of a budget plan for the purchase of three stun guns and related equipment under the State sponsored CED Assistance Program in the amount of:

CED Assistance Program Grant Amount: \$2,663.34
Municipal Match: \$2,417.58

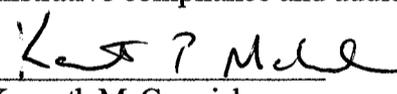
2. The Township Council acknowledges the terms and conditions for administering the CED Assistance Program grant, including the administrative compliance and audit requirements.



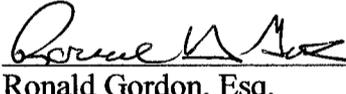
Kala Srianganathan
Chief Financial Officer



Robert Lombard
Business Administrator



Kenneth McCormick
Director of Public Safety



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

RECORDED VOTE:

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

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township Council of North Brunswick at a meeting duly held on the 4th day of May 2015.



Lisa Russo
Township Clerk

C: K. McCormick
g. Prognor
K. Srianganathan

163-5.15

1 of 2

CHECK REGISTER PROCESS FOR MAY 4, 2015				
FUND	DETAIL	CHECK NUMBERS	AMOUNT	
1	CURRENT FUND	BILL LIST	48363-48386	\$7,502,305.43
1	CURRENT FUND	BILL LIST		
1	CURRENT FUND	VOID	48242, 47874, 48223 48375, 48376	-\$16,921.50
17	PAYROLL	BILL LIST	104530-104554	\$946,521.17
17	PAYROLL	BILL LIST		
TOTAL				\$8,431,905.10

163 -5.15

CHECK REGISTER APPROVED BY TOWNSHIP COUNCIL MAY 4, 2015

FUND	DETAIL	CHECK NUMBERS	AMOUNT
1	CURRENT FUND	BILL LIST	\$758,927.38
20	INSPECTION	BILL LIST	\$4,857.68
21	TECHNICAL	BILL LIST	\$3,947.92
36	RCA FUTURE	BILL LIST	
TOTAL			\$767,732.98

163-5.15

ADD ON

1763

ADD ON TO BILL LIST MAY 4, 2015			
FUND	DETAIL	CHECK NUMBERS	AMOUNT
1	CURRENT FUND	BILL LIST	\$5,080.92

May 1, 2015
12:21 PM

NORTH BRUNSWICK TOWNSHIP
Purchase Order Listing By P.O. Number

Page No: 1

P.O. Type: All Include Project Line Items: Yes Open: Y Paid: Y Void: N
Range: 15-03326 to 15-03326 Rcvd: Y Held: Y Aprv: Y
Format: Detail without Line Item Notes First Enc Date Range: First to 06/30/15 Bid: Y State: Y Other: Y Exempt: Y
Include Non-Budgeted: Y

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
15-03326 05/01/15 TASER005 TASER INTERNATIONAL											
1		CARTRIDGE : PART # 22151	93.36	5-01-25-240-999-185	B	POLICE Miscellaneous	P	48562 05/01/15	05/01/15	05/04/15	00027975
2		HANDLE CLASS III : PART# 22003	3,035.85	5-01-25-240-999-185	B	POLICE Miscellaneous	P	48562 05/01/15	05/01/15	05/04/15	00027975
3		HOLSTER BLACKHAWK: PART# 22501	388.32	5-01-25-240-999-185	B	POLICE Miscellaneous	P	48562 05/01/15	05/01/15	05/04/15	00027975
4		TASER CAM : TCHD : PART# 26810	1,563.39	5-01-25-240-999-185	B	POLICE Miscellaneous	P	48562 05/01/15	05/01/15	05/04/15	00027975
			<u>5,080.92</u>								

Total Purchase Orders: 1 Total P.O. Line Items: 4 Total List Amount: 5,080.92 Total Void Amount: 0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND BUDGET	5-01	5,080.92	0.00	0.00	5,080.92
Total of All Funds:		<u>5,080.92</u>	<u>0.00</u>	<u>0.00</u>	<u>5,080.92</u>
