I. Pledge of Allegiance - Moment of Silence - Roll Call

II. Open Public Meeting Statement

III. Public Portion

IV. Discussions

1. Ordinance (ID # 11117): Amending Chapter 82, Parks and Recreation, of the South Brunswick Township Code Regarding Fees

2. Ordinance (ID # 11124): Accepting Dedication of Property Located at Block 30, Lots 24.03 & 26.02 for Open Space Purposes

3. Ordinance (ID # 11126): Amending and Supplementing Chapter 46 Fire Prevention and Protection, of the Township Code

4. Ordinance (ID # 11131): Amending Chapter 22 of the South Brunswick Township Code Regarding Requirement of Certificate of Continued Occupancy

5. Discussion (ID # 11167): Vacant and Abandoned Properties

V. Consent Agenda

1. Resolution (ID # 11159): Amending the Contract with Alaimo Associates for Construction Administration Services for the Farrington Interceptor Rehabilitation Project

2. Resolution (ID # 11169): Authorizing a Contract with Triad Associates for Affordable Housing Administrative Agent Assistance Services

3. Resolution (ID # 11177): Authorizing Bond Reduction for Pineville Brunswick Development Associates LP Site Plan for Construction of the Sidewalk on Stouts Lane

4. Resolution (ID # 11178): Authorizing Acceptance of the Work and Final Pay Estimate and Closeout Change Order with S. Batata Construction for the Culver Station Area Road Improvements Project

5. Resolution (ID # 11179): Increasing the Contract with Anthony M. Campisano, Esq., for Acquisition of the Necessary Easements for the Edly's Lane Force Main Rehabilitation Project

6. Resolution (ID # 11181): Authorizing a Contract with En-Tech Corporation for the 24” Force Main Rehabilitation Project

7. Resolution (ID # 11183): Increasing the Contract with Meco, Inc. for the Beekman Road Roadway Improvements Project

9. Resolution (ID # 11185): Authorizing a Bond Release of Water Distribution Bond Posted for the PSE&G Substation - Princeton Nursery

10. Resolution (ID # 11186): Appointing Members to the Human Relations Commission


VI. Items for Action

1. Ordinance 2020-18: Amending and Supplementing South Brunswick Code Section 2-777, Authorizing Payment of Bills Between Council Meetings

2. Resolution (ID # 11182): Authorizing a Contract with T&M Associates to Perform a Preliminary Assessment/ Phase I Investigation on Property Located on Perrine, Dey and Broadway Roads

3. Resolution (ID # 11188): Emergency Resolution Fixing the Rate of Interest to be Charged for Nonpayment of Certain Taxes or Assessments at the Rate of 0% for Delinquencies During the COVID-19 Coronavirus Pandemic Emergency and for Thirty Days Thereafter

VII. Adjournment
Amending and Supplementing South Brunswick Code Section 2-777, Authorizing Payment of Bills Between Council Meetings

WHEREAS, South Brunswick Code Section 2-777 sets forth the powers and duties of the Township Treasurer, one of which is the preparation, presentation and approval of claims for payment of bills for goods and services; and

WHEREAS, under normal operating circumstances all such claims for payment shall first be submitted to the Township Council for review and approval, but in emergency circumstances this may not be possible or practical; and

WHEREAS, there are other times when, for various reasons, Township Council meetings may be delayed, postponed or cancelled, resulting in an extended period of time between meetings and a delay in the approval of claims for payment; and

WHEREAS, in some circumstances the Township is legally obligated to make payments within a defined time period, a violation of which could result in fines and/or penalties assessed against the Township for delayed payments; and

WHEREAS, as a result of the current National, State, County and Local State of Emergency caused by the Coronavirus COVID-19 pandemic, meetings of the Township Council have been cancelled and/or postponed, causing a serious disruption in the ability of the Township to conduct normal municipal services, delaying the Township Council’s ability to authorize the payment of bills for routine goods and services; and

WHEREAS, N.J.S.A. 40A:5-17 permits the Township Council, by ordinance, to authorize the Township Treasurer to review and approve claims for payment between meetings of the Township Council; and

WHEREAS, it is in the best interests of the health, safety and welfare of the residents of South Brunswick Township to amend South Brunswick Code Section 2-777 to authorize the Township Treasurer to pay bills for goods and services without prior Council approval under certain circumstances and conditions;

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, that:

I. South Brunswick Code Section 2-777 shall be and is hereby amended and supplemented as follows, with additions in underline and deletions in strikethrough:

Sec. 2-777(b)(2). Presentation of claim; approval. Procedures for the presentation and approval of claims shall be as follows:

e. Payment of claims prior to Council approval. In the event of a delay, postponement or cancellation of regularly scheduled meetings of the Township Council, or under circumstances where a delay in the payment of bills until the next scheduled meeting is unreasonable or improper, the Township Treasurer shall be authorized to make all reasonable and necessary payments of bills prior to Council approval. In such circumstances, the Treasurer shall ascertain the existence of proper and sufficient appropriations for the payments to be made and determine
that there is legal authority for the payments, evidenced by action of the purchasing officer in respect to the goods or services ordered and the incurring of the expense therefore. The Treasurer shall present a list of all such bills so paid to the Township Council for ratification of such payments at the next regularly scheduled meeting.

Sec. 2-777(b)(3). Disbursements. Disbursements in payment of bills and demands shall be made by the treasurer upon his preaudit and approval by the council, except that for payments made pursuant to subsection (b)(2)e of this section, and further except that payments from the payroll account shall be made pursuant to subsection (b)(4) of this section. The treasurer shall prepare voucher lists as directed by the council or the township manager for the payment of all sums due from the township, listing each item and the account out of which it is payable. He shall prepare a statement with each voucher list certifying that there is sufficient money budgeted in the appropriate line item to pay each voucher so listed. The statement shall be signed by the treasurer. The treasurer shall promptly pay interest and principal on municipal obligations as they fall due.

II. If any clause, sentence, paragraph, section or part of this ordinance or any other codes or ordinances incorporated herein shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.

III. This ordinance shall become effective twenty (20) days after its final passage.

The above ordinance was introduced and passed on first reading at a meeting of the Township Council of the Township of South Brunswick held on March 24, 2020, and will be considered on second and final reading and final passage at a meeting of the Township Council of the Township of South Brunswick to be held at the Municipal Building, 540 Ridge Road, Monmouth Junction, New Jersey, at 6:00 p.m. on April 14, 2020, at which time and place any person having an interest therein will be given an opportunity to be heard.

RESULT: INTRODUCED [UNANIMOUS] Next: 4/14/2020 6:00 PM
MOVER: Joseph Camarota, Deputy Mayor
SECONDER: Josephine "Jo" Hochman, Councilwoman
AYES: Bierman, Camarota, Grover, Hochman, Carley

This is to certify that the foregoing is a true copy of an ordinance Introduced at the South Brunswick Township Council meeting held on March 24, 2020.

Barbara Nyitrai, Township Clerk
Resolution

Authorizing a Contract with T&M Associates to Perform a Preliminary Assessment/Phase I Investigation on Property Located on Perrine, Dey and Broadway Roads

WHEREAS, by resolution dated January 7, 2020, the Township of South Brunswick selected engineering firms, including T&M Associates, by way of a Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.4, et seq., in order to assign projects on a case-by-case basis to any of the firms, at the discretion of the Township, as the need arises, which services are to be provided under the direction of the Township administration, including but not limited to all those services normally provided by a municipal engineer where authorized; and

WHEREAS, there is a need for a preliminary investigation/Phase I analysis of the following properties:

- 60-75 Perrine Road (B. 79, Lot 7) (44.1 acres)
- 203-239 Broadway Road (B. 1, Lots 3.01, p/o 4.01 & 5) (47.79 acres)
- Dey and Broadway Roads (B. 1, Lot 17.04) (61.7 acres)

WHEREAS, T&M Associates submitted a proposal dated April 7, 2020, indicating it can provide the necessary site investigation work for an amount not to exceed $7,650.00; and

WHEREAS, funds are available for this purpose and a certification of availability of funds has been provided by the Township Treasurer from Account No. 20-201-20-696 by John M Bolcato; and

WHEREAS, the Department of Law is satisfied that said certification is in proper form;

NOW THEREFORE, BE IT RESOLVED on this 14th day of April, 2020, by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, that:

1. A contract with T&M Associates to provide a preliminary investigation/Phase I analysis of the above referenced properties shall be and is hereby authorized for the services set forth in its proposal dated April 7, 2020, for an amount not to exceed $7,650.00.

2. This expenditure shall be charged to Account No. 20-201-20-696.

3. This contract is awarded without competitive bidding pursuant to the Local Unit Pay-To-Play Law (N.J.S.A. 19:44A-20-4, et seq.).

This is to certify that the foregoing is a true copy of a resolution adopted at the South Brunswick Township Council meeting held on April 14, 2020.

__________________________________
Barbara Nyltrait, Township Clerk
Resolution

Emergency Resolution Fixing the Rate of Interest to be Charged for Nonpayment of Certain Taxes or Assessments at the Rate of 0% for Delinquencies During the COVID-19 Coronavirus Pandemic Emergency and for Thirty Days Thereafter

WHEREAS, pursuant to N.J.S.A. 54:4-67, on January 6, 2020, the Township fixed the rate of interest to be charged for the nonpayment of taxes or assessments at the rate of 8% per annum on the first $1,500.00 of the delinquency and 18% per annum on any amount in excess of $1,500.00; and

WHEREAS, on March 9, 2020, Governor Phil Murphy declared a state of emergency for all of New Jersey because of the COVID-19 Coronavirus Pandemic, instructing all residents to stay at home rather than report to their usual places of employment; and

WHEREAS, for many people, it is not possible to work from home and continue to earn wages, resulting in a hardship for those who are no longer earning a regular income through no fault of their own; and

WHEREAS, the Township is also aware that a number of residents have been laid off or otherwise let go from their jobs because their places of employment were ordered to close during the period of the emergency, leaving them unemployed and without regular income; and

WHEREAS, in an effort to provide some relief to residents who are suffering economically because of the current state of emergency, the Mayor and Council wish to reduce the interest charged on late payments of taxes and assessments to zero percent (0%) for all tax and assessment charges that are due from the date of adoption of this resolution through the period of the emergency and for thirty (30) days thereafter;

NOW, THEREFORE, BE IT RESOLVED on this 14th day of April, 2020, by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, that:

. In the event that payments of taxes or assessments are not paid on the due date, but are paid within a period of ten (10) days in the case of taxes, or thirty (30) days in the case of assessments, the Tax Collector is hereby authorized to charge no interest on all such delinquent payments.

. For the period beginning on the date of adoption of this resolution through a
date that is thirty (30) days after the Governor declares that the COVID-19 Coronavirus emergency has ended, in the event that payments of taxes or assessments that are due during this period are not paid within ten (10) days of the date due in the case of taxes, or thirty (30) days of the date due in the case of assessments, the Tax Collector shall charge interest at the rate of 0% per annum on any amount due.

. Beginning thirty-one (31) days after the Governor declares that the COVID-19 Coronavirus emergency has ended, in the event that payments of taxes or assessments that are due on or after that date are not paid within ten (10) days of the date due in the case of taxes, or thirty (30) days of the date due in the case of assessments, the Tax Collector is hereby authorized to charge interest at the rate of 8% per annum on the first $1,500.00 of the delinquency and 18% per annum on any amount in excess of $1,500.00, to be calculated from the date the tax or assessment was payable until the date of actual payment.

. A certified true copy of this Resolution be forwarded to the Tax Collector.

This is to certify that the foregoing is a true copy of a resolution adopted at the South Brunswick Township Council meeting held on April 14, 2020.

__________________________________
Barbara Nyitrai, Township Clerk