

OCTOBER 2, 2018

A Regular Meeting of the Piscataway Township Council was held on October 2, 2018 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by the Council President, Chanelle McCullum, at 7:30 pm.

Mrs. McCullum made the following Statement, in compliance with the Open Public Meetings Act:

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

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

There were no comments from Administration and Council.

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

There being no comments, this portion of the meeting was closed to the public.

RESOLUTION #18-416

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

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

WHEREAS, each of the following Resolutions, Motions or Proclamations to be presented before the Township Council at its October 2, 2018 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Return of Escrow Fees:
 - Solidia Technologies, Inc. – Block 4801, Lot 1 – 11 Colonial Drive.
 - Francis Parker Memorial Home – Block 872, Lot 4 – 1421 River Road.
- b. RESOLUTION – Authorizing Refunds of Overpayment of Taxes:
 - Block 1503, Lot 21.01 – 5 Quibble Road.
 - Block 8801, Lot 427 – 364 Lunar Road.
- c. RESOLUTION – Authorizing Refund of Overpayment of Taxes and Cancellation of Taxes – 100% Disabled Veteran – Block 415, Lot 15.01 – 1504 Albert Street.
- d. RESOLUTION – Authorizing Affordability Assistance Program Grant – 7000 Avalon Way, Unit 7126.
- e. RESOLUTION – Authorizing Raffle License – RA-1377 – K of C Council #11017.
- f. RESOLUTION – Authorizing Award of Contract Under the Middlesex Regional Education Services Commission Bid #ESCNJ 17/18-18 – Poured in Place Rubber Safety Surface (Supply and Installation) – Whirl Construction – Not to Exceed \$19,836.00.
- g. RESOLUTION – Authorizing Acceptance of Project and Release of Retainage – Restroom Renovation at Admin Bldg., DPW & Public Safety Bldg. – GK Fotinos.
- h. RESOLUTION – Authorizing Tax Appeal Settlement:
 - RFP 262 Piscataway Associates LLC – Block 4001, Lot 7.01 – 262 Old New Brunswick Road.

- Marino Realty, LLC II – Block 4901, Lot 2.04 – 287 S Randolphville Road.
 - Birchview Gardens LLC – Block 10601, Lot 3.07 – 308 River Road.
 - Birchview Management LLC – Block 10601, Lot 4.01 – 410 River Road.
- i. RESOLUTION – Authorizing Chapter 159 – Friends of Piscataway Library - \$24,734.09.
 - j. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgment – Peapack Gladstone Bank – Block 5401, Lot 8.01 – 1038 Stelton Road.
 - k. RESOLUTION – Consenting to Transfer of Financial Agreement and Special Assessment Agreement Between the Township of Piscataway and Piscataway Building II Urban Renewal LLC to RAR2 - 300 Ridge Road Urban Renewal LLC – Block 3502, Lot 1.07.
 - l. RESOLUTION – Designating 30 & 50 Seeley Road, LLC as Redeveloper of Seeley Avenue Mixed Use Redevelopment Project Block 5501, Lots 10.01 and 10.13.
 - m. MOTION – Accept Minutes Regular and Agenda Meetings – May 15, 2018.
 - n. MOTION – Accept Minutes Regular and Agenda Meetings – June 14, 2018.
 - o. PROCLAMATION – American Pharmacists Month – October 2018.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that each of the above-listed Resolutions, Motions or Proclamations be approved and adopted by the Township Council, with the same legal effect as through each was read in its entirety at the October 2, 2018 Regular meeting and adopted by separate vote.

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

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

RESOLUTION #18-417

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, on September 14, 2016, Solidia Technologies, Inc., Piscataway, NJ, posted an escrow check with the Township of Piscataway in the amount of \$3,000.00, regarding Planning Board Application #15-PB-18/19V for Block 4801, Lot 1 (11 Colonial Drive); and

WHEREAS, pursuant to a Request for Release of Funds dated May 2, 2018 and a Memorandum from the Township Supervisor of Planning dated July 17, 2018, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$2,544.44, to Solidia Technologies, Inc., Piscataway, NJ; and

WHEREAS, on November 4, 2011, Francis Parker Memorial Home, Piscataway, NJ, posted an escrow check with the Township of Piscataway in the amount of \$4,500.00, regarding Zoning Board Application #11-ZB-54/55V for Block 872, Lot 4 (1421 River Road); and

WHEREAS, pursuant to a Request for Release of Funds dated June 28, 2018 and a Memorandum from the Township Supervisor of Planning dated August 28, 2018, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$1,861.33, to Francis Parker Memorial Home, Piscataway, NJ; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Solidia Technologies, Inc., Piscataway, NJ, in the amount of \$2,544.44, regarding Planning Board Application #15-PB-18/19V; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Francis Parker Memorial

Home, Piscataway, NJ, in the amount of \$1,861.33, regarding Planning Board Application #11-ZB-54/55V.

RESOLUTION #18-418

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the following party overpaid taxes and is requesting a refund of this amount as listed below:

| BLOCK | LOT | QUAL | NAME | YEAR | AMOUNT | REASON |
|-------|-------|-------|--|------|---------|---------------------------|
| 1503 | 21.01 | | CHOPER, CHOPER & GUBERNAT 5 QUIBBLE RD | 2018 | 2777.58 | COUNTY BOARD JUDGMENT |
| 8801 | 427 | C0364 | PATEK, SHAILESH 364 LUNAR RD | 2018 | 230.69 | COAH BILLING CHANGE |

THEREFORE, BE IT RESOLVED that the Treasurer is hereby authorized to refund the overpayment of taxes to the record owner and the Collector is hereby authorized to adjust the records accordingly.

RESOLUTION #18-419

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the following parties overpaid taxes and are requesting a refund of this amount as listed below as well as cancellation of 2019 taxes billed:

| BLOCK | LOT | NAME | YEAR | AMOUNT | REASON | |
|-------|-------|---------------------------------|----------------------------|----------------------|----------------------------|-----------------------------|
| 415 | 15.01 | KEITH JOHNSON 1504 ALBERT ST | CANCEL CANCEL REFUND | 2018 2019 2018 | 412.49 877.94 146.67 | 100% DISABLED VETERAN |

THEREFORE, BE IT RESOLVED that the Treasurer is hereby authorized to refund the overpayment of taxes and cancellation of future taxes to the record owner and the Collector is hereby authorized to adjust the records accordingly.

RESOLUTION #18-420

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, AVALON PISCATAWAY LLC / AVALON PISCATAWAY rents property located at 7000 Avalon Way, Unit No. 7126, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit; and

WHEREAS, the tenant has requested an Affordability Assistance Program grant from the Affordable Housing Trust Fund; and

WHEREAS, the Township is willing to extend a grant to the tenant in the amount of \$601.00, which covers half of the first month's rent; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to execute an Affordability Assistance Program grant with the renter of an Affordable Housing unit located at 7000 Avalon Way, Unit No. 7126, Piscataway, NJ.

RESOLUTION #18-421

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, K of C Council #11017, Piscataway, NJ, filed Application No. RA 1377 with the Township of Piscataway for a Raffle License to conduct an Off-Premise 50/50 Raffle on December 22, 2018, at 208 Bound Brook Avenue, Piscataway, NJ; and

WHEREAS, the Township Municipal Clerk has reviewed the application and recommends that the application for a Raffle License by K of C Council #11017 be approved; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to accept Application No. RA 1377 and issue a Raffle License to K of C Council #11017 to conduct an Off-Premise 50/50 Raffle on December 22, 2018 at 208 Bound Brook Avenue, Piscataway, NJ.

RESOLUTION #18-422

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Township of Piscataway (the "Township") is in need of a Poured In Place Rubber Safety Surface (Supply and Installation) in regard to the Perrine Park Fitness Area (the "Project"); and

WHEREAS, the Township Landscape Architect recommends awarding a contract for the Project through the Middlesex Regional Education Services Commission Bid #ESCNJ 17/18-18, NJ State Approved Co-op #65MCECCPS to Whirl Construction, Port Monmouth, NJ, in the amount not to exceed \$19,836.00; and

WHEREAS, N.J.S.A. 52:34-6.2 et. seq. authorizes the Township to make purchases and contract for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process; and

WHEREAS, there is funding available pursuant to certification # R-2018-0102;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to enter into a contract with Whirl Construction, Port Monmouth, NJ for a Poured In Place Rubber Safety Surface (Supply and Installation) in regard to the Perrine Park Fitness Area, in the amount not to exceed \$19,836.00, through the Middlesex Regional Education Services Commission Bid #ESCNJ 17/18-18, NJ State Approved Co-op #65MCECCPS.

RESOLUTION #18-423

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, GK Fotinos, LLC, Morganville, NJ was previously awarded a contract for Restroom Renovation at the Administration Building, DPW, and Public Safety Building (the "Project"); and

WHEREAS, pursuant to a memorandum dated September 12, 2018 from the Township Director of Public Works, a copy of which is attached hereto and made a part hereof, all the work has been completed on said Project and said Township Director of Public Works recommends that the retainage, in the amount of \$7,973.50, be released to GK Fotinos, LLC, upon GK Fotinos, LLC posting a one (1) year maintenance bond in the amount of \$42,117.84; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township hereby accepts the Project and that the appropriate municipal officials be and are hereby authorized to return retainage funds in regard to the Restroom Renovation at the Administration Building, DPW, and Public Safety Building to GK Fotinos, LLC, in the amount of \$7,973.50, subject to GK Fotinos, LLC posting a one (1) year maintenance bond in the amount of \$42,117.84.

RESOLUTION #18-424

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the Township of Piscataway and the following property owners have been engaged in litigation on tax appeals which are pending in the Tax Court; and

WHEREAS, the Municipal Tax Assessor and Special Counsel for Tax Appeals have recommended the following settlements regarding the assessed values of the properties for the specified years:

RFP 262 Piscataway Associates LLC

Block 4001, Lot 7.01
262 Old New Brunswick Rd

| | <u>2015-2017 Assessment</u> | <u>2015-2017 Proposed Settlement</u> | <u>2018 Assessment</u> | <u>2018 Proposed Assessment</u> |
|--------------|---------------------------------|--|----------------------------|-------------------------------------|
| Land | 3,010,000 | | 3,440,000 | 3,440,000 |
| Improvements | <u>5,054,500</u> | <u>WITHDRAW</u> | <u>9,530,000</u> | <u>7,560,000</u> |
| Total | 8,064,500 | | 12,970,000 | 11,000,000 |

Marino Realty, LLC II

Block 4901, Lot 2.04
287 S Randolphville Rd

| | <u>2014-2017 Assessment</u> | <u>2014-2017 Proposed Assessment</u> | <u>2018 Assessment</u> | <u>2018 Proposed Assessment</u> |
|--------------|---------------------------------|--|----------------------------|-------------------------------------|
| Land | 3,877,500 | 3,877,500 | 7,238,000 | 7,238,000 |
| Improvements | <u>9,470,500</u> | <u>8,970,500</u> | <u>9,362,000</u> | <u>9,362,000</u> |
| Total | 13,348,000 | 12,848,000 | 16,600,000 | 16,600,000 |

Birchview Gardens LLC

Block 10601, Lot 3.07
308 River Road

| | <u>2014-2017 Assessment</u> | <u>2014 & 2015 Proposed Settlement</u> | <u>2016 Proposed Assessment</u> | <u>2017 Proposed Assessment</u> |
|--------------|---------------------------------|--|-------------------------------------|-------------------------------------|
| Land | 3,480,000 | | 3,480,000 | 3,480,000 |
| Improvements | <u>6,576,700</u> | <u>WITHDRAW</u> | <u>6,416,500</u> | <u>6,213,700</u> |
| Total | 10,056,700 | | 9,896,500 | 9,693,700 |

| | <u>2018 Assessment</u> | <u>2018 Proposed Settlement</u> |
|--------------|----------------------------|-------------------------------------|
| Land | 4,981,000 | 4,981,000 |
| Improvements | <u>6,095,000</u> | <u>5,970,000</u> |
| Total | 11,076,000 | 10,951,000 |

Birchview Management LLC

Block 10601, Lot 4.01
410 River Road

| | <u>2014-2017 Assessment</u> | <u>2014 & 2015 Proposed Settlement</u> | <u>2016 Proposed Assessment</u> | <u>2017 Proposed Assessment</u> |
|--------------|---------------------------------|--|-------------------------------------|-------------------------------------|
| Land | 5,100,000 | | 5,100,000 | 5,100,000 |
| Improvements | <u>9,423,100</u> | <u>WITHDRAW</u> | <u>9,403,400</u> | <u>9,106,300</u> |
| Total | 14,523,100 | | 14,503,400 | 14,206,300 |

| | <u>2018 Assessment</u> | <u>2018 Proposed Settlement</u> |
|--------------|----------------------------|-------------------------------------|
| Land | 7,803,000 | 7,803,000 |
| Improvements | <u>9,577,600</u> | <u>8,246,000</u> |
| Total | 17,380,600 | 16,049,000 |

WHEREAS, the Assistant Township Attorney, as well as appraisal consultants retained by the Township, have advised that the proposed settlements fully conform with the public interest; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the settlements of the above Tax Appeals, as recommended by the Municipal Tax Assessor and Special Counsel for Tax Appeals and as specifically set forth above, be and the same is hereby approved; and

BE IT FURTHER RESOLVED that upon notification from the Assessor that the above settlement has been approved by the Tax Court, the Tax Collector and other appropriate officials, the appropriate municipal officials be and are hereby authorized to issue the refunds and/or credits corresponding to the aforementioned assessed values.

RESOLUTION #18-425

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION – N.J.S. 40A:4-87

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the Township of Piscataway has received notice of an award of \$24,734.09 from the FRIENDS OF PISCATAWAY LIBRARY and wishes to amend its Calendar Year 2018 Budget to include this amount as revenue, and NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Piscataway in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year Calendar Year 2018 in the sum of \$ 24,734.09, which is now available from FRIENDS OF PISCATAWAY LIBRARY, in the amount of \$24,734.09.

BE IT FURTHER RESOLVED, that the like sum of \$ 24,734.09 is hereby appropriated under the caption; "FRIENDS OF PISCATAWAY LIBRARY"; and

BE IT FURTHER RESOLVED, that the above is the result of funds from "FRIENDS OF PISCATAWAY LIBRARY in the amount of \$24,734.09.

RESOLUTION #18-426

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

WHEREAS, the following party overpaid taxes and is requesting a refund of the amount as listed below.

| BLOCK | LOT | QUAL | NAME | YEAR | AMOUNT | REASON |
|-------|------|------|--|------|---------|-----------------------|
| 5401 | 8.01 | | PEAPACK GLADSTONE BANK 1038 STELTON RD | 2017 | 4101.00 | Tax Court Judgment |
| 5401 | 8.01 | | PEAPACK GLADSTONE BANK 1038 STELTON RD | 218 | 6861.40 | Tax Court Judgment |

THEREFORE, BE IT RESOLVED that the Treasurer is hereby authorized to refund the overpayment of taxes to the record owner and the Collector is hereby authorized to adjust the records accordingly.

RESOLUTION #18-427

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

RESOLUTION OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY CONSENTING TO THE TRANSFER OF THE FINANCIAL AGREEMENT AND SPECIAL ASSESSMENT AGREEMENT BETWEEN THE TOWNSHIP AND PISCATAWAY BUILDING II URBAN RENEWAL LLC TO RAR2 – 300 RIDGE ROAD URBAN RENEWAL LLC

WHEREAS, the Township of Piscataway in the County of Middlesex, New Jersey (the "Township") and Piscataway Building II Urban Renewal LLC, a New Jersey limited liability company (the "Entity") entered in to a Redevelopment Agreement dated as of January 19, 2018 (the "Redevelopment Agreement") and a Financial Agreement dated January 19, 2018 (the "Financial Agreement") in connection with the redevelopment of certain property known and designated on the Tax Map of the Township as Block 3502, Lot 1.07 (the "Property"); and

WHEREAS, pursuant to the Redevelopment Agreement, the Entity has entered into a Special Assessment Agreement dated as of September 14, 2018 (the "Assessment Agreement") in accordance with the terms of the Redevelopment Agreement; and

WHEREAS, Section 9.01 of the Financial Agreement provides that the Township will consent to the transfer of the benefits and obligations set forth in the Financial Agreement from the Entity to another qualified urban renewal entity (the "Assignee Entity") upon the satisfaction of the following conditions: (a) the Assignee Entity does

not own any other Project subject to long term tax exemption at the time of transfer; (b) the Assignee Entity is formed and eligible to operate under the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1, et seq. (the “Long Term Tax Exemption Law”); (c) the Entity is not then in default of the Financial Agreement or in violation of applicable law; (d) the Entity’s obligations under the Financial Agreement are fully assumed by the Assignee Entity in a duly executed written instrument or document satisfactory to Township; (e) the Assignee Entity abides by all terms and conditions of the Financial Agreement including, without limitation, the filing of an application pursuant to N.J.S.A. 40A:20-8; and

WHEREAS, the Entity has notified the Township of its intent to transfer the Property to RAR2 – 300 Ridge Road Urban Renewal LLC, a New Jersey limited liability company (the “Assignee”), has made application to the Township in accordance with Section 9.01 of the Financial Agreement, and has provided a draft assignment and assumption agreement (the “Assignment and Assumption Agreement”), a copy of which is attached hereto as Exhibit A and has requested that the Township consent to such transfer of the benefits and obligations of the Financial Agreement and the Assessment Agreement to the Assignee and to execute the Assignment and Assumption Agreement to confirm such consent; and

WHEREAS, the Township and its advisors have reviewed the Assignment and Assumption Agreement and have concluded that upon the execution of the same, all conditions to transfer set forth in the Financial Agreement will have been satisfied; and

WHEREAS, the Township desires to evidence its consent to the proposed transfer of the benefits and obligations set forth in the Financial Agreement and the Assessment Agreement from the Entity to the Assignee.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Piscataway (the “Council”) that:

(1) The Council hereby consents to the proposed transfer of the Financial Agreement and the Assessment Agreement, and the benefits and obligations set forth therein, from the Entity to the Assignee, pursuant to the terms of the Assignment and Assumption Agreement.

(2) The Council hereby authorizes and directs the Mayor of the Township of Piscataway to execute any document or writing or to make such representations, on behalf of the municipality, which may be necessary to further evidence or acknowledge the Township’s consent.

(3) The Financial Agreement and the Assessment Agreement remain in full force and effect and this consent shall have no impact on the validity or enforceability of either the Financial Agreement or the Assessment Agreement.

(4) This resolution shall take effect immediately.

RESOLUTION #18-428

BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that:

RESOLUTION DESIGNATING 30 & 50 SEELEY ROAD, LLC AS REDEVELOPER FOR THE SEELEY AVENUE REDEVELOPMENT AREA

WHEREAS, on December 12, 2017, the Township Council of Piscataway Township (the “Council”) adopted Resolution #17-505, and on March 27, 2018, the Council adopted Resolution #18-164, both resolutions resulting in the designation of the Seeley Avenue Redevelopment Area as an area in need of redevelopment (“Seeley Avenue Redevelopment Area” or “Redevelopment Area”), in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq. (hereinafter “Redevelopment Law”);

WHEREAS, on July 10, 2018, the Council adopted Ordinance No. 18-13 approving a redevelopment plan for the Seeley Avenue Redevelopment Area (“Redevelopment Plan”);

WHEREAS, 30 & 50 Seeley Road, LLC, the owner of the Redevelopment Area, proposes to redevelop approximately 10 acres in the Seeley Avenue Redevelopment Area as shown on the Township Tax Maps as Block 5501, Lots 10.01 and 10.13, on which the Redeveloper seeks to construct a project consisting of a four-story, 117 room hotel and single story, a 25,800 square foot car wash facility, together with parking areas and associated site improvements, (the “Project”) which is in accordance with the Redevelopment Plan;

WHEREAS, the proposals and conceptual plans of 30 & 50 Seeley Road, LLC have been reviewed and found consistent with the Township's goals for redeveloping the Redevelopment Area;

WHEREAS, 30 & 50 Seeley Road, LLC possesses sufficient and relevant experience and capability to undertake the contemplated project which has been found to be generally consistent with the Township's goals for redevelopment;

WHEREAS, the Council, acting in its capacity as the redevelopment entity, has determined that it is in the best interests of the Township of Piscataway to enter into a Redevelopment Agreement with 30 & 50 Seeley Road, LLC, to set forth the principles of agreement between the Township and 30 & 50 Seeley Road, LLC for the redevelopment of the Project Site;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway as follows:

1. 30 & 50 Seeley Road, LLC, be and hereby is designated to serve as Redeveloper of the Seeley Avenue Redevelopment Area conditioned upon the following:
 - A. Within the ninety (90) day period of designation, the Township and 30 & 50 Seeley Road, LLC, shall negotiate, approve, and execute a mutually satisfactory Redevelopment Agreement for the properties located within the Redevelopment Area.
 - B. 30 & 50 Seeley Road, LLC, agrees to pay any and all reasonable costs incurred by the Township from the date of this designation to the execution of a Redevelopment Agreement or termination of the redeveloper designation, as set forth herein.
 - C. Within thirty (30) days of the adoption of this resolution, 30 & 50 Seeley Road, LLC, must enter into an escrow agreement with the Township, the form of which is attached hereto and made part of this resolution.
 - D. Upon completion of negotiations on a Redevelopment Agreement, the Township Council shall be required to review and authorize execution of any and all related documents in order to effectuate the completion and implementation of this project.
2. Upon completion of negotiation of a Redevelopment Agreement and upon the approval of the Township's legal counsel, the Mayor be and hereby is authorized to review and execute said Redevelopment Agreement and to take such other steps as are necessary in order to complete and implement this redevelopment project.
3. 30 & 50 Seeley Road, LLC, may proceed to continue processing its formal application to the Planning Board for site plan approval.
4. In the event any of the above conditions have not been met, the Council, in its sole and non-reviewable discretion may de-designate 30 & 50 Seeley Road LLC as Redeveloper and adopt a Resolution memorializing this action.
5. Notice of this action shall be published in accordance with law.
6. A copy of this Resolution shall be filed in the Office of the Township Clerk.
7. This Resolution shall take effect immediately.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Michele Lombardi reminded everyone that October 16th is the deadline to register to vote for the November election.

Mayor Wahler advised the residents there is a shredding event at Riverside Park this Saturday from 9 am to 12 pm or until the truck is filled.

OPEN TO PUBLIC:

Jonathan Powers, 361 Stelton Road, asked why the consent agenda items weren't gone over individually.

Ms. McCullum responded they are voted on together.

Walter Ulrich, 122 Haywood Avenue, commented about the proposed widening of Haywood Avenue. The proposal was only sent to four homes on the street. He expressed his problem with the proposal which includes curbs and currently no sidewalks, but further in the proposal it indicates future sidewalks. He commented about

Wyckoff being re-done without curbs and sidewalks. He has a problem with only a portion of his driveway being re-paved for this project.

Rob Freeman, 2 Haywood Avenue, expressed his concerns about widening the road and traveling at a higher rate of speed.

Alan Happel, 118 Haywood Avenue, expressed the same concerns, he feels there is no need for curbs or sidewalks. He advised he spoke to Mr. Clarkin who advised he would look into it, but then responded with a letter that indicated curbs are needed to funnel the water and stop the road from deteriorating. He complained he will have 200 feet of edging. The neighborhood has been there without curbs and he doesn't see a need.

Abel Moravery, 105 Haywood Avenue, echoed his neighbor's comments, he hopes the road is re-paved. He feels it is unnecessary for curbs and sidewalks.

Mayor Wahler commented that four residents were notified regarding temporary construction easements needed for the project. This will be a full depth reconstruction and when this is done, it includes curbs and sidewalks. Sidewalks are not taxed. Wyckoff was a different situation and probably should have had curbing because areas are failing because there isn't curbing. The curbing will be Belgian block curbing and will fit with the rural character of the neighborhood. The engineering for this project started three years ago. He advised the Township is hoping to put the job out to bid in December. There are 600 roadway miles in the town; therefore road reconstructions must last 40 years. The remainder of the neighborhood will be done over the next few years.

Jim Bullard advised he spoke to Mr. Clarkin and the information is similar to what the Mayor has explained.

Steve Cahn commented about living in the Possumtown area previously. He's been an advocate for road repair schedule. There is a wide variety of views of what the road should look like and some want curbs and sidewalks as well as some that don't. He commented that the Township understands what the issues are, but the curbing issue is much more complex. He thanked the residents for coming out.

Michele Lombardi commented that the Council hears and understands their comments, but if the money is going into the roads, they need to stand up for the long haul. She feels curbing helps to keep road in better condition. Also, being from an emergency services family, she feels the widening of roadways assist with appropriate access of emergency vehicles.

Mr. Cahn commented about the reconstruction and widening of Baekeland Avenue which will alleviate some of the neighborhood traffic.

Maria Moravery, 105 Haywood Avenue, commented that she doesn't want sidewalks.

Mayor Wahler reiterated what he previously explained when the projects are engineered it includes sidewalks in the future so it doesn't require additional engineering at a later time if there is a need.

There being no further comments, this portion of the meeting was closed to the public.

There being no further business to come before the council, the meeting was adjourned at 8:05 pm on motion of Mrs. Lombardi, seconded by Mr. Shah, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

Chanelle McCullum
Council President