

June 10, 2021

A Regular Meeting of the Piscataway Township Council was held on June 10, 2021 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by Council President, Kapil Shah, at 7:30 pm.

Council President Shah 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 or dial in information, 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, Municipal Website, 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.

The Township continues to use the telephone meeting format in an effort to mitigate the chance of exposure to COVID-19, as a part of the Township's ongoing effort to slow the rate of transmission and avoid overwhelming our treatment centers.

In order to make sure a clear record of the meeting can be made and that all parties are heard in an organized fashion, all members of the public will be muted during the meeting. If a member of the public wishes to speak during any public comment portion, please press *9 (star nine) in order to raise your hand to speak. We will unmute members of the public individually if they have their hand raised. When it is your turn to speak, you will hear a notification that you have been unmuted. It is at that time that you should begin to ask any questions you may have. You will have three minutes to speak, at the conclusion of which you will be muted again, and the council or administration will respond as necessary. Should you have any further comments or questions, the Township Council is always available by email and phone, and you can always call the Mayor's office during normal operating hours. Each member of the public shall only have one opportunity to speak during each public portion. As the technology does not allow us to know if there are multiple callers on an individual line, we ask that if you wish to speak, that you dial in on a separate line so that we can recognize you as a separate individual.

Individuals may also submit written comments to the Township Clerk up to forty-eight (48) hours prior to the meeting, to be read by the Township Clerk during the Public Comment Portion of the meeting. Said comments shall be limited to three minutes of reading.

Thank you in advance for your patience as we continue to move the Township forward during this Health Emergency.

On roll call, there were present: Messrs. Bullard, Cahill, Cahn, Lombardi, Uhrin, and Shah.

There were no comments from Administration and Council on the Adjournment of any Agenda items.

Mr. Rouse joined the Zoom meeting at 7:36pm.

Mr. Shah opened the meeting to the Public for comments regarding the Consent Agenda Items.

Sid Madison, 176 Blackford Ave, offered to answer any questions on resolution regarding Fossil Fuels.

David Akins, Ambrose Valley Ln, asking for clarification on several items.

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

The Mayor read the following proclamation:

WHEREAS, the Township of Piscataway supports the rights of every resident to experience love and freedom from discrimination; and

WHEREAS, the mayor and council are committed to keeping Piscataway an inclusive and welcoming community for all; and

WHEREAS, while there has been notable progress in American society toward acceptance and equality in recent years, members of the LGBTQ community still face unacceptable discrimination and harassment; and

WHEREAS, everyone should be able to live without fear of prejudice, discrimination, violence and hatred based on race, religion, gender identity or sexual orientation; and

WHEREAS, in June 2000, President Bill Clinton declared June as Gay & Lesbian Pride Month to commemorate the June 1969 Stonewall Uprising in Lower Manhattan and in June 2009, President Barack Obama expanded the observance by designating June to be Lesbian, Gay, Bisexual and Transgender Pride Month; and

WHEREAS, June is celebrated as LGBTQ Pride Month nationwide.

NOW, THEREFORE, I, Brian C. Wahler, Mayor of the Township of Piscataway, County of Middlesex, State of New Jersey, declare June 2021 as **Pride Month** and encourage all Township residents to eliminate prejudice wherever it exists and to celebrate Piscataway's great diversity.

RESOLUTION #21-219

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 June 10, 2021 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Award of Bid – Re-Bid Rehabilitation of Various Park Courts and Rinks, 2021 – Dakota Excavating Contractors, Inc. – Not to Exceed \$1,311,000.00.
- b. RESOLUTION – Authorizing Award of Bid – Demolition of Residential Dwelling at 1126 River Road – Frank Galbraith & Son Excavating – Not the Exceed \$22,500.00.
- c. RESOLUTION – Authorizing Award of Contract for Electronic Bidding Software for Purchasing – Ion Wave Technologies, Inc. – Not to Exceed \$15,000.00.
- d. RESOLUTION – Authorizing Return of Maintenance Bond:
 - Block 6102, Lot 2.0 – 20 Knightsbridge Road.
- e. RESOLUTION – Authorizing Award of Contract Through ESCNJ – Street Tree Replacements and Various Plantings – JCW Inc. d/b/a Natural Green Lawn Care – Not to Exceed \$79,906.00.
- f. RESOLUTION – Authorizing Award of Contract Through ESCNJ – 2021 Chrysler Voyager (RUCE53) L FWD – Beyer of Morristown – Not to Exceed \$24,826.13.
- g. RESOLUTION – Authorizing Award of Contract Through Houston-Galveston Area Council National Coop – Sewer Maintenance Truck – 2021 Freightliner 108SD Conventional Cab, SBFA, SRA (PRL-20D) – Houston Freightliner, Inc. – Not to Exceed \$273,418.00.
- h. RESOLUTION – Authorizing Award of Contract for 2021 Hunter Douglas Motorized Roller Shades for Council Chambers – Window Accent & Flooring – Not to Exceed \$19,058.41.
- i. RESOLUTION – Authorizing Return of Escrow:
 - Block 9201, Lot 44.08 – 81-91 Ethel Road West
 - Block 602, Lot 42 – 149 Walnut Street
- j. RESOLUTION – Authorizing Return of Engineering and Inspection Fees:
 - Block 2904, Lot 73 – 97 Doyle Street
 - Block 6101, Lot 1.04 – 876 Centennial Avenue
 - Block 8405, Lot 17.01 – 38 School Street
- k. RESOLUTION – Authorizing Award of Contract for Professional Engineering and Architectural Services – Sterling Village Phase 3 Renovations – T & M Associates – Not to Exceed \$188,800.00.
- l. RESOLUTION – Authorizing Refund of Picnic Permit Fee:
 - Dhaval Parikh - \$225.00.

- m. RESOLUTION – Correction to Resolution #21-201 – Chapter 159 – Click It or Ticket 2021 Belt Mobilization.
- n. RESOLUTION – Correction to Resolution #21-203 – Chapter 159 – 2021 Distracted Driving Crackdown. U Drive, U Text, U Pay.
- o. RESOLUTION – Authorizing Chapter 159 – FY 2021 Community Development Block Grant (CDBG)
- p. RESOLUTION – Authorizing Change Order #2 – Roadway Improvements Plan Kossuth Street & Terrace Court – Stilo Paving & Excavating – Not to Exceed \$34,800.55.
- q. RESOLUTION – Calling for Fossil Fuel Divestment from its Pension Plan.
- r. RESOLUTION – Authorizing Professional Appraisal Services for 92 Properties along International Avenue and Justice Street – Not to Exceed \$6,000.00.
- s. RESOLUTION – Authorizing Return of Sterling Village Security Deposit:
 - Gloria Jefferson – Apt. 404
- t. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Tax Court Judgement – Block 10601, Lot 3.06 – Mayflower Coop Asso. Inc.
- u. RESOLUTION - Authorizing Cancellation of Taxes Due to 100% Disabled Veteran status – Block 6602, Lot 45.
- v. RESOLUTION – Authorizing Tax Appeal Settlement – Ins of Electrical & Electronic Engineers (IEEE) – Block 6003, Lot 4 – 445 Hoes Lane.
- w. RESOLUTION – Designating Block 5901, Lot 3.23 – 10 Constitution Avenue, an Area in Need of Redevelopment.

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 June 10, 2021 Regular meeting and adopted by separate vote. On roll call vote: Messrs. Cahill, Cahn, Lombardi, Uhrin, and Shah answered yes. No vote from Mr. Bullard or Mr. Rouse.

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

RESOLUTION #21-220

WHEREAS, on May 27, 2021, the Township of Piscataway (the “Township”) received two (2) bids in regard to the 2021 Rehabilitation of Various Park Courts and Rinks (the “Project”); and

WHEREAS, pursuant to a Memorandum and Recommendation to Award Bid, both dated June 1, 2021, the Township Landscape Architect reviewed the bids and recommended awarding a contract for the Project to Dakota Excavating Contractors, Inc., Lodi, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$1,311,000.00; and

WHEREAS, funds are available pursuant to certification # B-2021-018;

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 award a contract for the 2021 Rehabilitation of Various Park Courts and Rinks to Dakota Excavating Contractors, Inc., Lodi, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$1,311,000.00, subject to all bid specifications and contract documents.

RESOLUTION #21-221

WHEREAS, on May 27, 2021, the Township of Piscataway (the “Township”) received bids for the Demolition of a Residential Dwelling at 1126 River Road (the “Project”); and

WHEREAS, the Township Director of Public Works reviewed the bids and recommended awarding a contract for the Project to Frank Galbraith & Son Excavating & Demolition, Scotch Plains, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$22,500.00; and

WHEREAS, funds are available pursuant to certification # B-2021-019;

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 award a contract for the Demolition of a Residential Dwelling at 1126 River Road to Frank Galbraith & Son Excavating & Demolition, Scotch Plains, NJ, who is the lowest qualifying bidder, in the

amount not to exceed \$22,500.00, subject to all bid specifications and contract documents.

RESOLUTION #21-222

WHEREAS, the Township of Piscataway (the “Township”) wishes to award a contract for the Township Bids Website and Portal (the “Website and Portal”) to Ion Wave Technologies, Inc., Springfield, MO; and

WHEREAS, N.J.S.A. 40A:11-3 allows the Township to receive quotations in lieu of public bidding if the contract amount is less than or equal to the Township bid threshold; and

WHEREAS, pursuant to a Resolution, dated June 4, 2020, the Township increased their bid threshold to \$44,000.00; and

WHEREAS, the Township received two (2) quotes in regard to the above Website and Portal; 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 enter into a contract for the Township Bids Website and Portal with Ion Wave Technologies, Inc., Springfield, MO, for a total cost not to exceed \$15,000.00.

RESOLUTION #21-223

WHEREAS, AT&T Corp., Piscataway, NJ, requests the release of a Maintenance Surety Bond in the original amount of \$16,803.75, which was posted with the Township of Piscataway on December 2, 2016 for Planning Board Application #11-PB-08, regarding improvements for Block 6102, Lot 2 (20 Knightsbridge Road); and

WHEREAS, pursuant to a Request for Release of Funds dated May 5, 2021 and a letter from the Township Supervisor of Engineering dated May 7, 2021, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that the two (2) year maintenance period has expired, all improvements required and covered have been satisfactorily installed, and recommends the release of the Maintenance Surety Bond; 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 a Maintenance Surety Bond in the amount of \$16,803.75, to AT&T Corp., Piscataway, NJ, regarding Planning Board Application #11-PB-08.

RESOLUTION #21-224

WHEREAS, the Township of Piscataway (the “Township”) is in need of 2021 Street Tree Replacements and Various Plantings (the “Project”); and

WHEREAS, the Township Landscape Architect recommends awarding a contract for the Project through Educational Services Commission of NJ Co-Op Bid #ESCNJ 19/20-10, to JCW Inc. dba Natural Green Lawn Care, Bridgewater, NJ, in the amount not to exceed \$79,906.00; 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, funds are available pursuant to certification # B-2021-017;

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 for the 2021 Street Tree Replacements and Various Plantings with JCW Inc. dba Natural Green Lawn Care, Bridgewater, NJ, for a total cost not to exceed \$79,906.00, through Educational Services Commission of NJ Co-Op Bid #ESCNJ 19/20-10.

RESOLUTION #21-225

WHEREAS, the Township of Piscataway desires to purchase a 2021 Chrysler Voyager (RUCE53) L FWD (the “Vehicle”); and

WHEREAS, the Township Director of Public Works recommends purchasing the Vehicle from Beyer of Morristown, Morristown, NJ, in the amount of \$24,826.13 through Educational Services Commission of NJ Purchasing Cooperative #65MCECCPS, ESCNJ Bid #20/21-09; 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, funds are available pursuant to certification # R-2021-0069;

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 Beyer of Morristown, Morristown, NJ to purchase a 2021 Chrysler Voyager (RUCE53) L FWD in the amount not to exceed \$24,826.13, through Educational Services Commission of NJ Purchasing Cooperative #65MCESCCPS, ESCNJ Bid #20/21-09.

RESOLUTION #21-226

WHEREAS, the Township of Piscataway is in need of a Sewer Maintenance Truck – 2022 Freightliner 108SD Conventional CAB, SBFA, SRA (PRL-20D) (the “Freightliner”); and

WHEREAS, the Township Director of Public Works recommends awarding a contract for the Freightliner through the Houston-Galveston Area Council National Cooperative #HT06-20 (ILC# ILC21-11013), to Houston Freightliner, Inc., Houston, TX, in the amount not to exceed \$273,418.00; 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, funds are available pursuant to certification # R-2021-0070;

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 for a Sewer Maintenance Truck – 2022 Freightliner 108SD Conventional CAB, SBFA, SRA (PRL-20D) with Houston Freightliner, Inc., Houston, TX, for a total cost not to exceed \$273,418.00, through the Houston-Galveston Area Council National Cooperative #HT06-20 (ILC# ILC21-11013).

RESOLUTION #21-227

WHEREAS, the Township of Piscataway (the “Township”) wishes to award a contract for a 2021 Hunter Douglas Motorized Roller Shades for Council Chambers with Controls (the “Shades”) to Window Accents & Flooring, Hillsborough, NJ; and

WHEREAS, N.J.S.A. 40A:11-3 allows the Township to receive quotations in lieu of public bidding if the contract amount is less than or equal to the Township bid threshold; and

WHEREAS, pursuant to a Resolution, dated June 4, 2020, the Township increased their bid threshold to \$44,000.00; and

WHEREAS, the Township received one (1) acceptable quote and three (3) no quotes in regard to the above Shades; 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 enter into a contract for the 2021 Hunter Douglas Motorized Roller Shades for Council Chambers with Controls with Window Accents & Flooring, Hillsborough, NJ, for a total cost not to exceed \$19,058.41.

RESOLUTION #21-228

WHEREAS, on September 12, 2013, James Desmond, Jr., Piscataway, NJ posted an escrow check with the Township of Piscataway in the amount of \$2,000.00, respectively, regarding Zoning Board Application #13-ZB-39V for Block 602, Lot 42 (149 Walnut Street); and

WHEREAS, pursuant to a Request for Release of Funds dated March 9, 2021 and a Memorandum from the Township Supervisor of Planning dated May 13, 2021, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees, in the amount of \$713.75, to James Desmond, Jr., Piscataway, NJ; and

WHEREAS, on October 2, 2012, December 20, 2012, April 19, 2013, June 27, 2013, September 30, 2013, November 20, 2013 and July 3, 2014, J.C. MacElroy Co., Inc., Piscataway, NJ posted escrow checks with the Township of Piscataway in the amounts of \$5,500.00, \$500.00, \$2,000.00, \$1,000.00, \$100.00, \$800.00 and \$2,000.00, respectively, regarding Zoning Board Application #12-ZB-34/35V for Block 9201 (F/Blk 698), Lot 44.08 (81-91 Ethel Road); and

WHEREAS, pursuant to a Request for Release of Funds dated May 5, 2021 and a Memorandum from the Township Supervisor of Planning dated May 12, 2021, copies of which are attached hereto and made a part hereof, said Supervisor of Planning advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$93.70 be returned to J.C. MacElroy Co., Inc.; 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 James Desmond, Jr., Piscataway, NJ, in the amount of \$713.75, regarding Zoning Board Application #13-ZB-39V for Block 602, Lot 42 (149 Walnut Street); and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to return unexpended escrow fees to J.C. MacElroy Co., Inc., Piscataway, NJ, in the amount of \$93.70, regarding Block 9201, Lot 44.08 (81-91 Ethel Road).

RESOLUTION #21-229

WHEREAS, Chanel, Inc., New York, NY has completed their project on Block 6101, Lot 1.04 (867 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated April 19, 2021 and a Memorandum from the Township Supervisor of Planning dated May 13, 2021, copies of which are attached hereto and made a part hereof, said Supervisor of Planning advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$1,036.77 be returned to Chanel, Inc.; and

WHEREAS, Michael McDyer, Flemington, NJ has completed their project on Block 8405 (F/Blk 698), Lot 17.01 (38 School Street); and

WHEREAS, pursuant to a Request for Release of Funds dated April 12, 2021 and a Memorandum from the Township Supervisor of Engineering dated May 4, 2021, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$200.00 be returned to Michael McDyer; and

WHEREAS, 97 Doyle LLC, Colts Neck, NJ has completed their project on Block 2904, Lot 73 (97 Doyle Street); and

WHEREAS, pursuant to a Request for Release of Funds dated December 21, 2020 and a Memorandum from the Township Supervisor of Engineering dated May 4, 2021, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$14.64 be returned to 97 Doyle LLC; 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 return unexpended engineering and inspection fee funds to Chanel, Inc., New York, NY, in the amount of \$1,036.77, regarding Block 6101, Lot 1.04 (867 Centennial Avenue); and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to return unexpended engineering and inspection fee funds to Michael McDyer, Flemington, NJ, in the amount of \$200.00, regarding Block 8405 (F/Blk 698), Lot 17.01 (38 School Street); and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to return unexpended engineering and inspection fee funds to 97 Doyle LLC, Colts Neck, NJ, in the amount of \$14.64, regarding Block 2904, Lot 73 (97 Doyle Street).

RESOLUTION #21-230

WHEREAS, the Township of Piscataway requires Professional Services for the Sterling Village Renovations – Phase 3 (the "Project"); and

WHEREAS, T&M Associates, Middletown, NJ has submitted a proposal, dated April 22, 2021, for Professional Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$188,800.00; and

WHEREAS, T&M Associates, was previously qualified under the Fair and Open Process to provide professional services for Professional Engineering Services – Special Projects, Environmental, Etc., by the Township of Piscataway for 2021; and

WHEREAS, there is funding available pursuant to certification # R-2021-0074;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize T&M Associates to provide

Professional Services for the Sterling Village Renovations – Phase 3 Project, at the rates set forth in said Proposal, with such services not to exceed \$188,800.00 in cost.

RESOLUTION #21-231

WHEREAS, Dhaval Parikh, Piscataway, NJ requests the return of a Picnic Fee in the amount of \$225.00, posted with the Township of Piscataway on May 1, 2021; and

WHEREAS, the Piscataway Township Department of Recreation recommended the return of said Picnic Fee as the picnic was cancelled; 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 return the Picnic Fee, receipt #A145066, in the amount of \$225.00, to Dhaval Parikh, Piscataway, NJ.

RESOLUTION #21-232

WHEREAS, N.J.S.A 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 **\$7,500.00** from the **State of New Jersey, Department of Law and Public Safety, Division of Highway Traffic Safety** and wishes to amend its **Calendar Year 2021** 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 2021**:

Amount Received for

"Click It or Ticket 2021 Belt Mobilization" \$7,500.00

Matching Funds for

None \$ 0.00

BE IT FURTHER RESOLVED that the like sum of **\$7,500.00** is hereby appropriated under the caption of:

"Click It or Ticket 2021 Belt Mobilization" \$7,500.00

BE IT FURTHER RESOLVED, that the Director of Finance forward a certified copy of this resolution electronically to the Director of Local Government Services.

RESOLUTION #21-233

WHEREAS, N.J.S.A 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 **\$9,000.00** from the **State of New Jersey, Department of Law and Public Safety, Division of Highway Traffic Safety** and wishes to amend its **Calendar Year 2021** 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 2021**:

Amount Received for
2021 Distracted Driving Crackdown. U Drive, U Text, U Pay'
\$9,000.00

Matching Funds for
None **\$ 0.00**

BE IT FURTHER RESOLVED that the like sum of **\$9,000.00** is hereby appropriated under the caption of:

2021 Distracted Driving Crackdown. U Drive, U Text, U Pay'
\$9,000.00

BE IT FURTHER RESOLVED, that the Director of Finance forward a certified copy of this resolution electronically to the Director of Local Government Services.

RESOLUTION #21-234

WHEREAS, N.J.S.A 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 **\$4,371.00** from the **U.S. Department of Housing and Urban Developemnt** and wishes to amend its **Calendar Year 2021** 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 2021**:

Amount Received for
FY2021 Community Development Block Grant (CDBG)
\$4,371.00

Matching Funds for
None **\$ 0.00**

BE IT FURTHER RESOLVED that the like sum of **\$4,371.00** is hereby appropriated under the caption of:

FY2021 Community Development Block Grant (CDBG)
\$4,371.00

BE IT FURTHER RESOLVED, that the Director of Finance forward a certified copy of this resolution electronically to the Director of Local Government Services.

RESOLUTION #21-235

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Stilo Paving & Excavating, South Plainfield, NJ for the Roadway Improvements Plan – Kossuth Street & Terrace Court (the "Project"), in the amount not to exceed \$1,551,896.36; and

WHEREAS, the Township previously approved a change order in the amount of \$7,683.50 for a final cost not to exceed \$1,559,579.86, a 0.49% increase; and

WHEREAS, additional work is necessary for the Project that was not included in the original scope of work outlined by the Township and not anticipated in the proposal from Stilo Paving & Excavating to the Township for the Project; and

WHEREAS, this change order would represent an additional \$34,800.55 increase in the total amount of the Project for a final total not to exceed \$1,594,380.41, a 2.24% increase of the initial contract amount, for a total increase of 2.73%; and

WHEREAS, N.J.A.C. 5:30-11.3 authorizes a municipality to approve change orders up to twenty (20) percent of the originally awarded contract; and

WHEREAS, pursuant to a Memorandum and Change Order form, both dated May 24, 2021, the Township Supervisor of Engineering recommends approving the Change Order Request No. 2; and

WHEREAS, there is funding available pursuant to certification # B-2018-036-02;

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 amend the total contract amount for the Project with Stilo Paving & Excavating, South Plainfield, NJ from \$1,559,579.86 to a final total not to exceed \$1,594,380.41 and execute the enclosed Contract Change Order in the amount of \$34,800.55, subject to all bid specifications and contract documents.

RESOLUTION #21-236

WHEREAS, the international scientific and political communities have widely accepted that the burning of fossil fuels, which release harmful emissions of CO₂ and other greenhouse gases, is the main driver of global climate change with its corresponding harmful impacts on our natural environment; and

WHEREAS, the recent United Nations Intergovernmental Panel on Climate Change (IPCC) October 2018 Special Report highlights the urgent need for immediate actions to sharply reduce fossil fuel use. The report concludes that absent aggressive action, many effects once expected decades in the future will arrive by 2040 and that global net human-caused emissions of greenhouse gases need to fall by 45 percent from 2010 levels by 2030 to avoid catastrophic climate change; and

WHEREAS, United States President Joseph Biden and New Jersey Governor Philip Murphy have identified climate change as an existential threat to humanity in need of bold and aggressive action; and

WHEREAS, the United States has rejoined in January 2021 the Paris Climate Agreement and the international community to address this global threat; and

WHEREAS, New Jersey is the most vulnerable state to the impacts of rising temperatures, sea level rise, increased flooding and numerous other adverse impacts of climate change, with potentially disastrous consequences for public health and safety, as well as for the social and economic vitality of the State;

WHEREAS, in order to curtail the serious impacts of global climate change caused by greenhouse gas emissions, New Jersey must shift away from its reliance on fossil fuels as a primary energy source and turn to clean and renewable energy sources and battery storage; and

WHEREAS, the New Jersey Department of Environmental Protection published “2020 New Jersey: Scientific Report on Climate Change” which catalogues the statewide impacts of climate change and states that it is unlikely our planet will be able to stay under the two-degree Celsius limit needed to avoid a global catastrophe; and

WHEREAS, Piscataway had previously stated a commitment through Resolution #17-387 to mitigation, adaptation and equity in its approach to climate change; and

WHEREAS, the oil and gas sector has been the worst performing sector of the Standard & Poor’s 500 for the last decade and although in the 1980’s it accounted for 28% of the value of that index, today it represents just 2.5% and is the smallest sector in that investment index; and

WHEREAS, the oil and gas sector’s decline indicate a negative trend for fossil fuels as the global economy turns away from fossil fuels and towards a low carbon future; and

WHEREAS, Fossil-Free investment portfolios have performed as well and even better than those with oil and gas stocks; and

WHEREAS, fossil fuel divestment is one approach to reducing the emissions of greenhouse gases from the burning of fossil fuels by removing the financial underwriting of the fossil fuel sector; and

WHEREAS, more than 1200 institutional portfolios, including faith based, universities, governments and pension plans have already divested or have committed to divest their portfolios totaling more than \$14 trillion of assets under management (AUM), and

WHEREAS, New York State Comptroller Thomas DiNapoli, who is the fiduciary for the best funded State pension in the country worth \$226 billion, announced in December 2020 that his plan over the next five years will be divesting from the riskiest fossil fuel investments and further committed to decarbonize the entire portfolio by 2040, setting an international standard for protecting the value of long-term sustainability of retiree plans; and

BE IT RESOLVED, that the Piscataway Township Council make it be known by passing this Resolution that it supports fossil fuel divestment as one way of addressing and reducing the impacts of climate change and simultaneously preserving the value of their retiree funds and

AND FURTHER BE IT RESOLVED, that the Piscataway Township Council calls on the State Investment Council and the Division of Investment, which oversees the pension system to commit to a Climate Action Plan that includes the divestment of all fossil fuel investment as soon as possible but not longer than five years from the date of this Resolution.

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent by the Piscataway Township Administrator to the following: Governor Murphy, the State Investment Council and the Division of Investment.

RESOLUTION #21-237

WHEREAS, the Township of Piscataway requires Professional Appraisal Services for the acquisition of temporary and permanent easements from approximately 92 properties along International Avenue and Justice Street within the Township of Piscataway (the "Project"); and

WHEREAS, Sterling DiSanto & Associates, Somerville, NJ, has submitted a proposal dated May 26, 2021, for Professional Appraisal Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$6,000.00; and

WHEREAS, Sterling DiSanto & Associates was previously qualified under the Fair and Open Process to provide professional services for Professional Appraisal Services - Various Projects by the Township of Piscataway for 2021; and

WHEREAS, there is funding available pursuant to certification # R-2021-0075;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Sterling DiSanto & Associates, Somerville, NJ, to provide Professional Appraisal Services for temporary and permanent easements from approximately 92 properties along International Avenue and Justice Street, at the rates set forth in said Proposal, with such services not to exceed \$6,000.00 in cost.

RESOLUTION #21-238

WHEREAS, Gloria Jefferson requests the return of a Security Deposit, in the amount of \$990.13, posted with the Township of Piscataway (the "Township") for Apartment 404 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit; 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 said Security Deposit, in the amount of \$990.13 to Gloria Jefferson in regard to Apartment 404 at Sterling Village.

RESOLUTION #21-239

WHEREAS, the following party overpaid taxes and is requesting a 1/2 refund and 1/2 application of same for the year and amount as listed below.

BLOCK	LOT	NAME	YEAR	AMOUNT	REASON
		MAYFLOWER COOP ASSO			
10601	3.06	INC	2018	19,069.70	Tax Court Judgement
			2019	19,101.85	Tax Court Judgement
		Total		<u><u>\$38,171.55</u></u>	

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 #21-240

WHEREAS, the Tax Collector is requesting authorization to cancel taxes as listed below

BLOCK	LOT	QUAL	NAME	YEAR	AMOUNT	REASON
6602	45		ALONSO A BREWSTER	2021	5,161.39	100% Disabled Veteran

THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to cancel the taxes and hereby authorized to adjust the records accordingly.

RESOLUTION #21-241

WHEREAS, the Township of Piscataway and the following property owner has been engaged in litigation on a tax appeal which is pending in the Tax Court; and

WHEREAS, the Municipal Tax Assessor and Special Counsel for Tax Appeals have recommended the following settlement regarding the assessed value of the property for the specified year:

Ins of Electrical & Electronic Engineers (IEEE)

Block 6003, Lot 4
445 Hoes Lane

	2017 <u>Appeal</u>	2018 <u>Appeal</u>	2019 <u>Appeal</u>	2020 <u>Appeal</u>
Land				
Improvements	<u>WITHDRAW</u>	<u>WITHDRAW</u>	<u>WITHDRAW</u>	<u>WITHDRAW</u>
Total				

	2021 <u>Assessment</u>	2021 Proposed <u>Assessment</u>
Land	4,585,000	4,585,000
Improvements	<u>10,125,000</u>	<u>9,315,000</u>
Total	14,710,000	13,900,000

WHEREAS, the Special Counsel for Tax Appeals, as well as appraisal consultants retained by the Township, have advised that the proposed settlement fully conforms with the public interest; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the settlement of the above Tax Appeal, 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 refund and/or credit corresponding to the aforementioned assessed value.

RESOLUTION #21-242

WHEREAS, the Township of Piscataway (the "Township") contains property designated as Block 5901, Lot 3.23 (10 Constitution Avenue) on the Piscataway Township Tax Map (the "Property"); and

WHEREAS, the Township authorized a Redevelopment Study to be completed for the Property by CME Associates, Howell, NJ and authorized the Township Planning Board to

undertake a preliminary investigation to determine whether the Property should comprise a Non-Condensation Area in Need of Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, after completing the preliminary investigation, reviewing the report by CME Associates, and hearing testimony, the Township Planning Board recommended that the Property be found to be a Non-Condensation Area in Need of Redevelopment in accordance with Criteria A, D & H of N.J.S.A. 40A:12A-5, with said determination memorialized in a Resolution by the Township Planning Board on June 9, 2021; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby designate 5901, Lot 3.23 (10 Constitution Avenue) as a Non-Condensation Area in Need of Redevelopment pursuant to N.J.S.A 40A:12A-1 et seq.; and

BE IT FURTHER RESOLVED that in accordance with N.J.S.A. 40A-12A-6b(5)(c) the Clerk of the Township of Piscataway shall forthwith transmit a copy of this Resolution to the Commissioner of the Department of Community Affairs; and

BE IT FURTHER RESOLVED that in accordance with N.J.S.A. 40A-12A-6b(5)(d), within ten (10) days of the Township Council's adoption of the within resolution, the Clerk of the Township of Piscataway shall serve notice of the Township Council's determination and this Resolution upon the record owner of property within the Non-Condensation Redevelopment Area, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent.

The Clerk read for SECOND READING the following ORDINANCE: **ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 11302, LOT 4 (595 HIGHLAND AVENUE) IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY FOR PUBLIC PURPOSE PURSUANT TO N.J.S.A. 20:3-1, ET SEQ.**

WHEREAS, the Township of Piscataway (the "Township") wishes to acquire a certain property along Highland Avenue for public purpose; and

WHEREAS, the property known as Block 11302, Lot 4 (595 Highland Avenue) (the "Property") on the Tax Map of the Township of Piscataway is desired by the Township to be used for open space and recreation; and

WHEREAS, the Property had an unsafe structure on it that was demolished by the Township in the Fall of 2020; and

WHEREAS, the Township wishes to exercise its rights pursuant to N.J.S.A. 20:3-1 et seq.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey as follows:

- A. The Township is authorized to engage in good faith negotiations with the owner of the Property.
- B. The Township is authorized to commence eminent domain and/or condemnation proceedings to acquire the Property using the processes approved in N.J.S.A. 20:3-1 et seq.
- C. The Mayor of the Township is duly authorized to execute any and all documents and affidavits related to the legal proceedings involved in acquiring the Property.
- D. The Township Attorney or special counsel and such other appropriate officials as necessary be and are hereby authorized to acquire said land interests, either by negotiation or by instituting action by exercising the Township's right of eminent domain (condemnation).
- E. The Township Attorney and other appropriate officials be and are hereby authorized to hire and employ such appraisers, consultants and experts as may be appropriate to effectuate said acquisitions, whether by negotiation or eminent domain proceedings, and to pay said consultants and experts a reasonable fee for their services.
- F. The Township Council of the Township of Piscataway authorizes the filing of a

Declaration of Taking in relation to acquiring the Property as required under the applicable statute; and

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

All other ordinances in conflict or in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereby shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof. This Ordinance shall take effect twenty (20) days after the first publication thereof, by summary, after final passage, in the manner provided by law. Mr. Shah opened the Meeting to the Public for Comments.

Pratik Patel, 29 Redbud Rd, asked for clarification. Mr. Dacey explained. There being no further comment, the public portion was closed.

RESOLUTION offered by Mr. Cahn, seconded by Mr. Uhrin: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that: AN ORDINANCE ENTITLED: ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY IDENTIFIED AS BLOCK 11302, LOT 4 (595 HIGHLAND AVENUE) IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY FOR PUBLIC PURPOSE PURSUANT TO N.J.S.A. 20:3-1, ET SEQ. was introduced on the 11th day of May, 2021 and had passed the first reading and was published on the 14th day of May, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on June 10, 2021, be adopted, passed, and after passage, be published, together with a notice of the date of passage or approval, in the official newspaper.

BE IT FURTHER RESOLVED that this Ordinance shall be assigned No. 2021-13.

On roll call vote: Messrs. Bullard, Cahill, Cahn, Lombardi, Uhrin, and Shah answered yes. No answer from Mr. Rouse.

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XXIII (23), SEWERS AND WASTEWATER, SECTION 23-2.3, SERVICE CHARGES

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Cahn, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XXIII (23), SEWERS AND WASTEWATER, SECTION 23-2.3, SERVICE CHARGES be and is hereby adopted on the first reading, that it be published in the official newspaper, and that a second reading and public hearing be held at 7:30 p.m., prevailing time at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey as well as by telephonic conference on the 29th day of June, 2021.

BE IT FURTHER RESOLVED that a copy of this Ordinance shall be posted in at least two public places within the Township prior to the day of the second reading and final passage, and a copy of this Ordinance shall be made available at the Office of the Township Clerk for any interested member of the public.

On roll call vote: Messrs. Cahill, Cahn, Lombardi, Uhrin, and Shah answered yes. No vote from Mr. Bullard or Mr. Rouse.

The Clerk read for FIRST READING the following ORDINANCE ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XXXII (32), STORMWATER MANAGEMENT AND CONTROL AS PREVIOUSLY REVISED IN ORDINANCE NO. 2020-35

RESOLUTION offered by Mrs. Cahill, seconded by Mr. Lombardi, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XXXII (32), STORMWATER MANAGEMENT AND CONTROL AS PREVIOUSLY REVISED IN ORDINANCE NO. 2020-35 be and is hereby adopted on the first reading, that it be published in the official newspaper, and that a second reading and public hearing be held at 7:30 p.m., prevailing time at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey as well as by telephonic conference on the 29th day of June, 2021.

BE IT FURTHER RESOLVED that a copy of this Ordinance shall be posted in at least two public places within the Township prior to the day of the second reading and final passage, and a copy of this Ordinance shall be made available at the Office of the Township Clerk for any interested member of the public.

On roll call vote: Messrs. Cahill, Cahn, Lombardi, Uhrin, and Shah answered yes. No vote from Mr. Bullard or Mr. Rouse.

The Clerk read for SECOND READING the following ORDINANCE: AN ORDINANCE PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN THE TOWNSHIP OF PISCATAWAY'S GEOGRAPHICAL BOUNDARIES AND AMENDING CHAPTER 21, ZONING, SECTION 3, DEFINITIONS AND SECTION 13, PROHIBITED USES AND ADDING CHAPTER 3, POLICE REGULATIONS, SECTION 28, CANNABIS, TO THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, Section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in Section 3 of the Act as "a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer"), cannabis distributors or cannabis delivery services allowed to operate within their boundaries,

as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, Section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, Section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to Section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Township Council of the Township of Piscataway (the “Township”) has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Township in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Township’s residents and members of the public who visit, travel, or conduct business in the Township, to amend the Township’s zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Township; and

WHEREAS, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act’s 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts; and

WHEREAS, the Mayor and Township Council of the Township of Piscataway, Middlesex County, finds it in the best interest of the public to amend Chapter XXI, Zoning, Section 3, Definitions and Section 13, Prohibited Uses, and add Chapter III, Section 28, Cannabis, of the Revised General Ordinances of the Township of Piscataway regarding cannabis business within the Township; and

BE IT FURTHER ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter III, Section 3-28, Cannabis, be added to the Revised General Ordinances of the Township of Piscataway with additions shown in italics as follows:

CHAPTER III
POLICE REGULATIONS
3-28 CANNABIS

3-28.1 Prohibited

Pursuant to Section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16) (the “Act”), cannabis establishments (defined in Section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis

wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Township of Piscataway. Retail sales of both medical and recreational cannabis are prohibited.

* * *

BE IT FURTHER ORDAINED and that Chapter XXI, Zoning, Section 3, Definitions, and Section 13 Prohibited Uses, of the Revised General Ordinances of the Township of Piscataway are hereby amended with additions shown in italics and deletions shown in brackets with text as follows:

**CHAPTER XXI
ZONING
21-3 DEFINITIONS**

* * *

b. Specific Definitions:

* * *

[CANNABIS DISPENSARY]

[Any place in which marijuana in any form is sold for recreational purposes to members of the public.]

CANNABIS CULTIVATOR

A grower, cultivator or producer of cannabis in the State of New Jersey who sells and may transport cannabis to other growers, processors, wholesaler or retailers, but not to consumers.

CANNABIS DELIVERY SERVICE

A provider of courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer. Same includes the use by a licensed cannabis retailer of any third-party technology platform to receive, process, and fulfill consumer orders, provided that any physical acts in connection with the filling and delivery of an order is accomplished by a certified cannabis handler performing work for or on behalf of the licensed cannabis retailer.

CANNABIS DISTRIBUTOR

A transporter of cannabis items in bulk, intrastate, from one licensed cannabis establishment to another licensed cannabis establishment.

CANNABIS MANUFACTURER

A processor of cannabis items in the State of New Jersey who purchases or otherwise obtains usable cannabis for the purpose of manufacturing, preparing, packaging and selling cannabis items. At their option they can transport said cannabis items to other cannabis processors, wholesalers, and/or retailers, but not to consumers.

CANNABIS RETAILER

A purchaser or obtainer of usable cannabis from cannabis cultivators and cannabis items from cannabis manufacture or cannabis wholesalers who sells same to consumers for either medical or recreational use from a retail store.

CANNABIS WHOLESALER

A purchaser or obtainer of cannabis items in the State of New Jersey who obtains, stores, sells or otherwise transfers cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers.

* * *

21-13 PROHIBITED USES.

§ 21-1301 Specifically Prohibited Uses for All Zones — Examples.

In addition to the prohibition of all uses in all zones not expressly permitted, the following uses are specifically prohibited:

* * *

§ 21-1301.22

[Cannabis Dispensary] *Cannabis Cultivators, Cannabis Delivery Services, Cannabis Distributors, Cannabis Manufacturers, Cannabis Retailers, and Cannabis Wholesalers, as said terms are defined in Chapter XXI, Zoning, Section 3, Definitions, and pursuant to Section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16).*

* * *

BE IT FURTHER ORDAINED that if any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

This Ordinance shall take effect immediately upon second reading, final passage and filing with the Middlesex County Planning Board, as required by law.

Mr. Shah opened the Meeting to the Public for Comments.

Hugh Giordano, Blackwood, NJ – gave a statement asking Council to reconsider ordinance.

Sophia Rouse, 241 St. Marks Ave, voiced support of Ordinance.

Pratik Patel, 29 Redbud Rd, voiced his support for the Ordinance.

Jonathan Powers, 361 Stelton Rd, spoke against the Ordinance.

Brian Rak, 1247 Brookside Rd, spoke against the Ordinance.

Melina Redmond, Parlin, NJ – spoke against Ordinance.

Edward Grimes – spoke against Ordinance.

There being no further comments, the public portion was closed.

RESOLUTION offered by Mr. Cahn, seconded by Mr. Uhrin: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: AN ORDINANCE PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN THE TOWNSHIP OF PISCATAWAY’S GEOGRAPHICAL BOUNDARIES AND AMENDING CHAPTER 21, ZONING, SECTION 3, DEFINITIONS AND SECTION 13, PROHIBITED USES AND ADDING CHAPTER 3, POLICE REGULATIONS, SECTION 28, CANNABIS, TO THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY was introduced on the 11th day of May, 2021 and had passed the first reading and was published on the 14th day of May, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on June 10, 2021, be adopted, passed, and after passage, be published, together with a notice of the date of passage or approval, in the official newspaper.

BE IT FURTHER RESOLVED that this Ordinance shall be assigned No. 2021-14.

On roll call vote: Messrs. Cahill, Cahn, Lombardi, Uhrin, and Shah answered yes. No vote from Mr. Bullard or Mr. Rouse.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Gabrielle Cahill wished everyone a Happy 4th of July

Mayor Wahler spoke on vaccine clinic that took place in town.

Mr. Shah wished everyone Happy Father’s Day

The Council considered the matters on the Agenda for June 29, 2021:

- ORDINANCE – SECOND READING – Amending Chapter XXIII (23) – Sewers and Wastewater – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.

- ORDINANCE – SECOND READING – Amending Chapter XXXII (32) Stormwater Management and Control – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- RESOLUTION – Authorizing 2021 Solicitors Licenses – Paul Jadamiec & Jeremy Hristoforatos and 2021 Peddlers License – Dayanara Martir-Ruiz.
- RESOLUTION – Authorizing Chapter 159 – FY2021 Clean Communities Grant - \$99,446.48.
- RESOLUTION – Authorizing Return of Sterling Village Security Deposit – Estate of Ralph Cortese – Apt. 109.
- RESOLUTION – Authorizing Chapter 159 – American Rescue Plan Act of 2021- \$3,641,346.00.
- RESOLUTION – Authorizing Renewal of Liquor Licenses.
- RESOLUTION – Authorizing Release of Performance Surety and Cash Bonds – American Express – JRM Construction Inc. and JRM Holdco, Inc. – Block 5001, Lot 1.02 – 2 Corporate Place.
- RESOLUTION – Authorizing Tax Appeal Settlement – Srivastava, Arun & Bharti – Block 3602, Lot 4.07 – 12 Grace Place.
- RESOLUTION – Authorizing Addendum Rider ‘B’ to Fireworks Performance Contract.
- MOTION – Accept the Report of the Clerk’s Account – May 2021.
- MOTION – Accept Report of the Division of Revenue – May 2021.
- MOTION – Receive and Enter into Minutes Disbursements for the Month of May 2021.

OPEN TO PUBLIC:

Charlie Kratovil, New Brunswick Today, asked about lost police reports 2017-2018.

Pratik Patel, 29 Redbud Rd, asked about monies given to Community Center

Brian Rak, 1247 Brookside Rd, asked for more information on the lost police records. Spoke about trash at the park near his home.

Resident called in to complain about DPW.

Sid Madison, 176 Blackford Ave - spoke on resolution he hopes to have council pass.

John Costello, 280 River Rd – asked about when Senior Center will open

Keith Vuth, North Brunswick NJ – read statement in opposition of land use variance for warehouse

Sayed Sharif, 240 Hampshire Ct – echoed Mr. Vuth’s statement

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 8:37pm on motion of Mrs. Lombardi, seconded by Mrs. Cahill, carried unanimously.

Respectfully submitted,

Monica Orlando, Deputy Township Clerk

Accepted:

Kapil Shah
Council President