

December 14, 2021

A Regular Meeting of the Piscataway Township Council was held on December 14, 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. Shah opened the meeting to the Public for comments regarding the Consent Agenda Items.

Pratik Patel, 29 Redbud Rd, asked for clarification on items

Staci Berger, 233 Ellis parkway, asked for clarification on how minutes are transcribed.

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

The Clerk read for SECOND READING the following ORDINANCE: **ORDINANCE AUTHORIZING REMOVAL OF DEED RESTRICTION AS TO CERTAIN PROPERTIES PREVIOUSLY SOLD BY THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

WHEREAS, the Township of Piscataway (the "Township") over the course of several years sold certain property within the Township of Piscataway ("the Properties") to The Macedonia Original Freewill Baptist Church and / or to Macedonia Affordable Housing, LLC (hereinafter collectively "The Church"); and

WHEREAS, the deeds for such sales were subject to restrictions that generally required the Property be used solely for church purposes (the "Deed Restrictions"); and

WHEREAS, the sale prices for said parcels were set at the value of the lands with the Deed Restrictions in place; and

WHEREAS, The Church wishes to have all or some of the Deed Restrictions on the Properties removed as they no longer wish to use all of the Properties for church purposes; and

WHEREAS, the Township is willing to agree to the removal of said Deed Restrictions so long as the Township is paid fair and appropriate consideration for removal of the Deed Restrictions; and

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 aforesaid Deed Restrictions may be removed upon The Church's payment to the Township of fair and appropriate consideration for removal of the Deed Restrictions.
- B. The Township Attorney, Assistant Township Attorney and other appropriate officials be and are hereby authorized to hire and employ a Township qualified independent appraiser to determine the fair and appropriate consideration for removal of the Deed Restrictions and to compensate said appraiser pursuant to the rates at which the appraiser was qualified by the Township.
- C. The appropriate municipal officials and the Mayor are duly authorized to execute any and all documentation necessary to retain said appraiser and to effectuate the removal of the Deed Restrictions upon acceptance of the payment of the fair and appropriate consideration to be made by The Church to the Township.

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 and Dwight Mitchel, 20 Sunshine Cir spoke.
There being no further comments, this portion was closed to the public.

RESOLUTION offered by Mr. Cahn, seconded by Mrs. Lombardi: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: ORDINANCE AUTHORIZING REMOVAL OF DEED RESTRICTION AS TO CERTAIN PROPERTIES PREVIOUSLY SOLD BY THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY was introduced on the 30th day of November, 2021 and had passed the first reading and was published on the 3rd day of December, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 14, 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. 2021-37.
On roll call vote: Messrs. Bullard, Cahill, Cahn, Lombardi, Uhrin, and Shah answered yes.

The Clerk read for SECOND 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 AND SUPPLEMENTING CHAPTER XXI (21), ZONING AND CHAPTER XXIV (24) SITE PLAN REVIEW TO AMEND SECTIONS §21-401 ZONES CREATED, §21-402 ZONING MAP, §21-501.5 M-1 AND M-5 INDUSTRIAL DISTRICTS, §21-501.1 ATTACHMENT 1 SCHEDULE OF GENERAL REQUIREMENTS AND, §21-501.1 ATTACHMENT 5 OF THE CODE TO ADD THE M-2 INDUSTRIAL DISTRICT AND REQUIREMENTS AND §24-702.2 DESIGN STANDARDS FOR OFF-STREET PARKING AREAS.

BE IT ORDAINED, by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey that Chapters XXI and XXIV are amended and modified as follows:

§21-401 Zones Created

For the purposes of this chapter, the Township of Piscataway is hereby divided into the following zones:

RR-1	Rural Residential
R-20	Residential
R-20A	Residential
R-15	Residential
R-15A	Residential
R-10	Residential
R-10A	Residential
R-7.5	Residential
R-17.5	Residential
R-M	Multi-Family Residential
AL	Assisted Living
SCH	Senior Citizen Housing
C	Commercial
GB	General Business
BPI	Business Professional
BPII	Business Professional
BR	Business/Recreational
HC	Hotel Conference Center
SC	Shopping Center
LI-1	Light Industrial
LI-2	Light Industrial
LI-5	Light Industrial
M-1	Industrial
M-2	Industrial
M-5	Industrial
E-R	Education and Research
E	Education
AH-1	Affordable Housing 1
AR-1	Age Restricted 1
TV	Transit Village
AH-2	Affordable Housing 2
AH-3	Affordable Housing 3 Zone
SNF	Skilled Nursing Facility
CS	Community Services
TC	Towne Center

§21-402 Zoning Map

The boundaries of these zones and classes of zones are hereby established on a map entitled "Official Zoning Map," dated October, 1983, which map, as may be amended further from time to time, is hereby declared to be a part of this chapter. The official zoning map is on file in the municipal building of the Township.

The Zoning Map shall be amended as follows:

Block 5701, Lots 1.04, 1.05 and 2 shall be designated M-2 Industrial.

§21-501.5 M-1, M-2 and M-5 Industrial Districts [1]

[1972 Code § 21-501; Ord. No. 11-25]

[1]

Editor's Note: The M-1, M-2 and M-5 Industrial Districts is included as an attachment to this chapter.

§21-501.1- Attachment 1

The following is the amended Attachment 1 Schedule of General Requirements for the proposed M-2 Industrial Zone

Zone	M-2		
Minimum Floor Area (Square Feet)	20,000		
Maximum Height Principal Building (Feet)	50		
Maximum Height Accessory Structure (Feet)	25		
Minimum Lot Dimensions-	Area (Square Feet)	10 acres	
	Width (Feet)	300	
	Depth (Feet)	300	
Minimum Yard Requirements -	Front (Feet)	PS	80
		AS	100
	Rear (Feet)	PS	50
		AS	50
	Each Side (Feet)	PS	40
		AS	40
Maximum Coverage of Building % of lot area (Including Accessory Structures)	50		

§21-501.5- Attachment 5

Purpose. The purpose of the M-1, M-2 and M-5 Industrial Districts is to establish zoning districts which allow for all types of industrial land use except those which are expressly prohibited by this chapter (see Section 21-1301). The zones are designed according to the existing wide range of industrial land uses and are specifically intended to better reflect current uses and trends and respond to current market and economic conditions. [1972 Code § 21-501]

§ 21-501.5 M-1, M-2 and M-5 Industrial Districts. [1972 Code § 21-501; Ord. No. 11-25]

Zone	M-2
Principal Uses Permitted	Same as LI-1 Zone
Accessory Uses Permitted	Same as C Zone
Conditional Uses Permitted	Same as M-1 Zone
	Solar energy systems (see Section 21-1014)

§24-702.2c DESIGN STANDARDS FOR OFF-STREET PARKING AREAS.

Off-street Parking Requirements for Particular Uses:

Uses	Minimum Required Parking Spaces
Automotive Service Stations	3 for each bay, plus one for each service vehicle
Bank and Savings Institutions	1 for each 200 square feet of floor area or 8 spaces for each teller window, whichever is greater
Bowling Lanes	4 for each alley
Churches and Other Places of Worship	1 for each 3 seats or one for each 72 inches of seating space when benches rather than seats are used
Colleges and Institutions of Higher Learning	1.5 for every 2 students
Community Buildings, Social Halls, and Places of Public	1 for each 100 square feet of floor area, or one for each 4 seats, whichever is greater

Uses	Minimum Required Parking Spaces
Assembly, including but not limited to, schools	
Day Care Centers	1 for each employee equal to the number of employees required by State regulations to supervise the maximum number of children permitted by State regulations to occupy the space provided. One for every 25 children as a drop off/pick-up area appurtenant to the day care center entrance
Farm or Garden Produce Sold on the Premises	10
Funeral Homes, Mortuaries	10, plus 1 for each 50 square feet of floor area
Golf Courses and Clubs	10 for each tee.
Industrial Uses	1 for each 300 square feet of floor area
Laboratory and Research Uses	1 for every 300 square feet of floor area
Manufacturing	1 for every 300 square feet of floor area
Medical or Dental Clinics or Offices	4 for each doctor or dentist, plus 1 space for each 100 square feet of floor area
Motels, Hotels, Motor Lodges, Conference Centers	One for each rental unit, and in addition, compliance with the requirements for each particular additional use located on the property, such as restaurants, eating and drinking establishments, retail stores and meeting rooms, is required
Nursing Homes	1 for each 2 beds
Offices, Business	1 for every 200 square feet of floor area
Offices, Professional (Other than Medical and Dental)	1 for every 200 square feet of floor area
Residential Dwellings	2 for each dwelling unit
Restaurants, Eating and Drinking Establishments and Catering Halls	1 for each 2 1/2 seats
Retail Stores, Store Groups, Shops, Fast Food Restaurants	1 for each 150 square feet of floor area where the floor area shall not exceed 2,000 square feet; 1 for each 175 square feet of floor area where the floor area shall exceed 2,000 square feet
Self-storage facilities	1 for every 500 square feet of storage area
Theaters	1 for each 3 seats
Warehousing	1 for every 2,000 square feet of floor area
Warehouse Fulfillment Center	1 for every 500 square feet of floor area
Wholesale Establishments, Furniture Stores	1 for each 500 square feet of floor area.

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 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 Ordinance are hereby ratified and confirmed, except where inconsistent with the terms hereof.

This Ordinance shall take effect immediately upon second reading, final passage and publication as required by law.

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

The Clerk read statements from the following people that were emailed prior to the meeting in opposition to this ordinance:

Muhammad Waseem – no address given

Robert Hoppeler – no address given

Rita Badge – no address given

Mike McCarty – no address given

Karyn Erdman – no address given

Johann Bent – no address given

Nichole Franklin – no address given

Diana Ahrens – no address given

Kautilya Trivedi – no address given

Halema Sadia – no address given

Tainoosh Atif – no address given

Riya Badge – no address given

Kirsten Wendland – no address given

Winston Shek – no address given

Patricia Brown – no address given

Samantha Hutchins – no address given

Mohiuddin Syed – no address given

Brian Peng – no address given

Rachel Sy – no address given

Jay Sy – 24 Martin Ln

Margaret Doyle Ball – no address given

Patricia Kearns – no address given

Gabriel Lopes – no address given

Maggie Drouaillet – no address given

Wendy Kuchnicki – no address given

Jennifer Sheeler – 191 Middlesex Ave

Pratik Patel – 29 Redbud Rd

Ed Marsh – 113 Wyckoff Ave

Keith F. Foos – Metuchen-Edison-Piscataway Area NAACP

The following people spoke on their opposition of this ordinance:

John Costello – 280 River Rd

Dwight Mitchell – 20 Summershade Cir

Jessica Kratovil – 1247 Brookside Dr

Brian Rak – 1247 Brookside Dr

Staci Berger – 233 Ellis Parkway

Elizabeth – 3 Lake Park Dr

Chris L – no address given

Deborah – no address given

Ralph Johnson – 39 E Burgess Dr

Ashish Kumar – 7 Simon Ct

Nitish Patel – 25 Murray Ave

Craig Aumack – 3 Lake Park Dr

Justine – 14 Marion Ct

David Akins – 39 Ambrose Valley Ln

Charlie Kratovil

Christopher Colon – 1921 W 7th St

Sarah Ahmed – 6 Azalea Pl

Jonathon Powers – 361 Stelton Rd

Mr. Doyd - 18 Summershade Cir

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

Assistant Township Attorney James Clarkin spoke on this ordinance.

RESOLUTION offered by Mr. Bullard, 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 AND SUPPLEMENTING CHAPTER XXI (21), ZONING AND CHAPTER XXIV (24) SITE PLAN REVIEW TO AMEND SECTIONS §21-401 ZONES CREATED, §21-402 ZONING MAP, §21-501.5 M-1 AND M-5 INDUSTRIAL DISTRICTS, §21-501.1 ATTACHMENT 1 SCHEDULE OF GENERAL REQUIREMENTS AND, §21-501.1 ATTACHMENT 5 OF THE CODE TO ADD THE M-2 INDUSTRIAL DISTRICT AND REQUIREMENTS AND §24-702.2 DESIGN STANDARDS FOR OFF-STREET PARKING AREAS was introduced on the 4th day of November, 2021 and had passed the first reading and was published on the 9th day of November, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 14, 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. 2021-38.

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

The Clerk read for SECOND READING the following ORDINANCE: AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 5901, LOT 3.23 (10 CONSTITUTION AVENUE), AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF PISCATAWAY

WHEREAS, the Township of Piscataway (the "Township") is committed to redeveloping the area commonly known as Block 5901, Lot 3.23 (10 Constitution Avenue) (the "Redevelopment Area"); and

WHEREAS, the Township Council of the Township authorized, by Resolution #21-217, adopted on May 11, 2021, the Planning Board of the Township to undertake a preliminary investigation to determine whether the Property should qualify as a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, on June 9, 2021, the Planning Board of the Township held a public hearing regarding the determination of the Property as an Area in Need of Redevelopment; and

WHEREAS, the preliminary investigation report, prepared by Steven L. Gottlieb, PP, LLA, provided that the parcel included within the study, identified as Block 5901, Lot 3.23, met the statutory criteria "A, D and H" conditions to support the conclusion that these parcels may be determined to be an Area in Need of Redevelopment as set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, after reviewing the preliminary investigation report and conducting the public hearing, the Planning Board of the Township found that the aforementioned parcels, located at Block 5901, Lot 3.23, met the statutory criteria for being designated an Area in Need of Redevelopment and made a formal recommendation that these parcels be designated as an Area in Need of Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to Resolution #21-242, dated June 10, 2021, the Township Council declared Block 5901, Lot 3.23 (10 Constitution Avenue) as an Area in Need of Redevelopment; and

WHEREAS, the Township authorized CME Associates to prepare a redevelopment plan for the Redevelopment Area, which plan is entitled, "10 Constitution Avenue Redevelopment Plan" ("Redevelopment Plan") and attached hereto as Exhibit A; and

WHEREAS, the Township Council reviewed the Redevelopment Plan and now desires to adopt the Redevelopment Plan, a copy of which is annexed hereto as Exhibit A; and

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

Section 1. The Township hereby approves and establishes the aforementioned Redevelopment Plan, for the area commonly known as Block 5901, Lot 3.23 (10 Constitution

Avenue), prepared by CME Associates (“Redevelopment Plan”) and attached hereto as Exhibit A pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 2. The aforementioned Redevelopment Plan shall supersede all provisions of the Zoning and Development Regulations of the Township of Piscataway regulating development in the area addressed by said Redevelopment Plan, unless otherwise noted in said Redevelopment Plan.

Section 3. Final adoption of said Redevelopment Plan by the Township Council shall be considered an amendment of the Township of Piscataway Zoning Map. The Zoning District Map in the Zoning Ordinances of the Township shall be amended to include the boundaries described in the aforementioned Redevelopment Plan and the provisions therein.

Section 4. All of the provisions of said Redevelopment Plan shall supersede the applicable development regulations of the Township’s ordinances, as and where indicated, for the properties subject to said Redevelopment Plan. In the event of any inconsistencies between the provisions of said Redevelopment Plan and any prior ordinance of the Township of Piscataway, the provisions of said Redevelopment Plan shall govern.

Section 5. A copy of this Ordinance and said Redevelopment Plan shall be forwarded, after introduction, to the Piscataway Township Planning Board for a Master Plan consistency review in accordance with N.J.S.A 40A:12A-7e.

Section 6. Should any section, paragraph, sentence, or clause of this Ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared severable.

This Ordinance shall take effect immediately upon second reading, final passage and publication as required by law.

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

Brian Rak, 1247 Brookside Rd and Pratik Patel, 29 Redbud Rd spoke.
There being no further comments, this portion was closed to the public.

RESOLUTION offered by Mr. Bullard, seconded by Mrs. Lombardi: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 5901, LOT 3.23 (10 CONSTITUTION AVENUE), AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF PISCATAWAY was introduced on the 4th day of November, 2021 and had passed the first reading and was published on the 9th day of November, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 14, 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. 2021-39.
On roll call vote: Messrs. Bullard, Cahill, Cahn, Lombardi, Uhrin, and Shah answered yes.

The Clerk read for SECOND READING the following ORDINANCE: **AN ORDINANCE ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 4701, LOT 5.05 (330 SOUTH RANDOLPHVILLE ROAD), AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF PISCATAWAY**

WHEREAS, the Township of Piscataway (the “Township”) is committed to redeveloping the area commonly known as Block 4701, Lot 5.05 (330 South Randolphville Road) (the “Redevelopment Area”); and

WHEREAS, the Township Council of the Township authorized, by Resolution #19-317, adopted on July 23, 2019, the Planning Board of the Township to undertake a preliminary investigation to determine whether the Property should qualify as a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, on November 13, 2019, the Planning Board of the Township held a public hearing regarding the determination of the Property as an Area in Need of Redevelopment; and

WHEREAS, the preliminary investigation report, prepared by Steven L. Gottlieb, PP, LLA, provided that the parcel included within the study, identified as Block 4701, Lot 5.05, met the statutory criteria A, D and H to support the conclusion that these parcels may be determined to be an Area in Need of Redevelopment as set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, after reviewing the preliminary investigation report and conducting the public hearing, the Planning Board of the Township found that the aforementioned parcels, located at Block 4701, Lot 5.05, met the statutory criteria for being designated an Area in Need of Redevelopment and made a formal recommendation that these parcels be designated as an Area in Need of Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to Resolution # 19-399, dated September 24, 2019, the Township Council declared Block 4701, Lot 5.05 (330 South Randolphville Road) as an Area in Need of Redevelopment; and

WHEREAS, the Township authorized CME Associates to prepare a redevelopment plan for the Redevelopment Area, which plan is entitled, "Redevelopment Plan 330 South Randolphville Road, Block 4701, Lot 5.05" dated November 1, 2019 ("Original Redevelopment Plan"); and

WHEREAS, pursuant to Ordinance #19-34, dated December 3, 2019, the Township Council approved said Original Redevelopment Plan; and

WHEREAS, the Township wishes to amend said Original Redevelopment Plan, which shall include but is not limited to the following modifications:

- (1) Update acknowledgement page to reflect current Council Representation, Planning Board and Project Team;
- (2) Include Retail as a permitted use with conditions (page 5);
- (3) Include Outdoor Storage as a permitted accessory use and remove from the prohibited uses (page 5);
- (4) Allow Outdoor Storage of materials or goods as a Permitted Accessory only when within an enclosed and screened structure. The architecture of the structure shall reflect the architectural style of the proposed principal structure. The structure shall be three sided with a roof and completely screened from any public right of way. (page 5);
- (5) Adjust accessory structure height from 15 feet to 25 feet. (page 6);
- (6) Modify Sidewalks adjacent to buildings provision to permit parking up against the building, subject to placement of bollards. (page 7);
- (7) Amend parking criteria to 1/500 and decrease office parking criteria for the warehouse to 1/300 (page 7);
- (8) Amend Landscape Design Standards to require buffering of proposed accessory structure (page 8);
- (9) Amend Circulation to require accommodations for a truck backup/turn around methodology adjacent to the center parking area and the accessory structure pad (pages 9-10); and
- (10) Amend Piscataway Township Master Plan to include reference to the 2020 Master Plan update (page 12);

as set forth in a plan entitled, "Redevelopment Plan 330 South Randolphville Road, Block 4701, Lot 5.05" dated November 1, 2019, Revised November 19, 2021 ("Amended Redevelopment Plan") and attached hereto as Exhibit A; and

WHEREAS, the Township Council reviewed the Amended Redevelopment Plan and now desires to adopt said Amended Redevelopment Plan, a copy of which is annexed hereto as Exhibit A; and

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

Section 1. The Township hereby approves and establishes the aforementioned Amended Redevelopment Plan, for the area commonly known as Block 4701, Lot 5.05 (330 South Randolphville Road), prepared by CME Associates (“Redevelopment Plan”) and attached hereto as Exhibit A pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 2. The aforementioned Amended Redevelopment Plan shall replace the Original Redevelopment Plan and shall supersede all provisions of the Zoning and Development Regulations of the Township of Piscataway regulating development in the area addressed by said Amended Redevelopment Plan, unless otherwise noted in said Amended Redevelopment Plan.

Section 3. Final adoption of said Amended Redevelopment Plan by the Township Council shall be considered an amendment of the Township of Piscataway Zoning Map. The Zoning District Map in the Zoning Ordinances of the Township shall be amended to include the boundaries described in the aforementioned Amended Redevelopment Plan and the provisions therein.

Section 4. All of the provisions of said Amended Redevelopment Plan shall supersede the applicable development regulations of the Township’s ordinances, as and where indicated, for the properties subject to said Amended Redevelopment Plan. In the event of any inconsistencies between the provisions of said Amended Redevelopment Plan and any prior ordinance of the Township of Piscataway, the provisions of said Amended Redevelopment Plan shall govern.

Section 5. A copy of this Ordinance and said Amended Redevelopment Plan shall be forwarded, after introduction, to the Piscataway Township Planning Board for a Master Plan consistency review in accordance with N.J.S.A 40A:12A-7e.

Section 6. Should any section, paragraph, sentence, or clause of this Ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared severable.

This Ordinance shall take effect immediately upon second reading, final passage and publication as required by law.

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

John Costello, 280 River Rd and Christopher Colon 1921 W 7th St spoke.

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

RESOLUTION offered by Mr. Uhrin, seconded by Mrs. Cahill: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: AN ORDINANCE ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 4701, LOT 5.05 (330 SOUTH RANDOLPHVILLE ROAD), AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF PISCATAWAY was introduced on the 23rd day of November, 2021 and had passed the first reading and was published on the 27th day of November, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 14, 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. 2021-40.

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

The Clerk read for SECOND 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, ADDING CHAPTER IV (4), LICENSING AND BUSINESS REGULATIONS, SECTION 4.1, SALE OF MOTOR VEHICLES, CHAPTER VII (7), TRAFFIC, SECTION 41, ELECTRIC SCOOTERS, AND CHAPTER III (3), POLICE REGULATIONS, SECTION 28, NUISANCES AND AMENDING CHAPTER XXI (21), ZONING, SECTION 1301, SPECIFICALLY PROHIBITED USES FOR ALL ZONES – EXAMPLES, CHAPTER XXXI (31), STREETS AND SIDEWALKS, SECTION 1, OPENINGS IN STREETS AND SIDEWALKS, CHAPTER XVII (17), PROPERTY MAINTENANCE, SECTION 1, PROPERTY MAINTENANCE CODE ADOPTED, AND CHAPTER XIV (14), BUILDING, SECTION 4, CERTIFICATES OF OCCUPANCY AND CONTINUED COMPLIANCE, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

WHEREAS, the Mayor and Township Council of the Township of Piscataway (“Township”), Middlesex County, finds it in the best interest of the public to add Chapter IV, Licensing and Business Regulations, Section 4-4.1, Sale of Motor Vehicles, Chapter VII, Traffic, Section 41, Electric Scooters, and Chapter III, Police Regulations, Section 28, Nuisances to the Revised General Ordinances of the Township of Piscataway; and

WHEREAS, the Mayor and Township Council of the Township finds it in the best interest of the public to amend Chapter XXI, Zoning, Section 1301, Specifically Prohibited Uses For All Zones – Examples, Chapter XXXI, Streets and Sidewalks, Section 1, Openings in Streets and Sidewalks, Chapter XVII, Property Maintenance, Section 1, Property Maintenance Code Adopted, and Chapter XIV, Building, Section 4, Certificates of Occupancy and Continued Compliance, of the Revised General Ordinances of the Township of Piscataway; and

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter II, Administration, Section 35, Cable Television Advisory Commission is here deleted; and

BE IT FURTHER ORDAINED that Chapter IV, Licensing and Business Regulations, Section 4-4.1, Sale of Motor Vehicles in Residential Zones, Chapter VII, Section 41, Electric Scooters, and Chapter III, Police Regulations, Section 28, Nuisances of the Revised General Ordinances of the Township of Piscataway are hereby added with additions shown in italics with text as follows:

**CHAPTER IV
LICENSING AND BUSINESS REGULATIONS
4-4 GARAGE SALES; YARD SALES**

* * *

4-4.1 Sale of Motor Vehicles

The occasional sale of motor vehicles on or from property principally used as a residence is permitted, subject to and in compliance with the following terms and condition:

- a. Such sales shall be limited to two (2) motor vehicles per year at any one premises.*
- b. Motor vehicles must be parked in the driveway of the property and cannot be stationed on any grass area located in the front or side yard of the property.*
- c. The “For Sale” and all other signage must be placed inside the motor vehicle.*
- d. The motor vehicle must be registered to the property owner or a current resident of the property.*
- e. No sale shall be conducted so as to create a traffic or safety problem. The person owning or occupying the premises at which the sale is to be conducted, or the person conducting the sale, or both, shall take all necessary precautions to ensure that no traffic or parking problems or trespassing onto nearby property by prospective or actual customers for the purchase of the motor vehicle shall occur.*

* * *

CHAPTER VII

TRAFFIC

7-41 ELECTRIC SCOOTERS

7-41.1 Scope.

The provisions of this chapter shall apply to electric scooter operation and placement upon any street or upon any public right-of-way within the Township of Piscataway, subject only to those exceptions stated in this section. Where the provisions of this chapter contradict and/or overlap with any state laws, the state law shall govern.

7-41.2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

"Electric scooter" means a scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of nineteen (19) miles per hour.

"Owner" means any company, entity or individual that has ownership of an electric scooter.

"Private electric scooter" means any electric scooter owned and operated by a private individual.

"Shared electric scooter" means any electric scooter owned by a company authorized and permitted by the Township of Piscataway to offer publicly accessible electric scooters through a pay-per-ride or subscription program under an agreement that incorporates the provisions of Section 7-41.7 of this chapter.

"User" means any person who is operating an electric scooter.

7-41.3 Application of traffic laws to electric scooters.

Every person riding an electric scooter within the Township of Piscataway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of this state including the provisions of Chapter 4 of Title 39 of the New Jersey Revised Statutes applicable to bicycles as defined in N.J.S. 39:4-10 and the traffic provisions of this code applicable to the driver of a vehicle, except as to special regulations in this chapter and except as to those provisions of laws and ordinances which by their nature are inapplicable to such persons.

7-41.4 Electric scooter rules and regulations.

A. Obedience to Traffic Control Devices.

- 1. Any person operating an electric scooter shall comply with New Jersey Statutes, including Chapter 4 of Title 39 of the Revised Statutes, Rules and Regulations applicable to bicycles as defined in N.J.S. 39:4-10.*

B. Reserved.

C. User Age Restrictions. *No person younger than seventeen (17) shall operate an electric scooter.*

D. Manner of Riding an Electric Scooter. *No electric scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.*

E. Speed Restrictions. *No person shall operate an electric scooter at a speed greater than is reasonable and prudent under the condition then and there existing provided it does not exceed nineteen (19) miles per hour.*

F—I. Reserved.

J. Riding Locations.

- 1. No person shall ride an electric scooter upon a sidewalk.*
- 2. Any person traveling on the sidewalk with an electric scooter shall dismount before entering the sidewalk throughway and walk the electric scooter along the sidewalk.*
- 3. No person shall start or stop an electric scooter trip on the sidewalk.*
- 4. Riding shall be limited to bike lanes and/or multi use pathways within the Township.*

K. Carrying Articles. No person operating an electric scooter shall carry any package, bundle, or article which prevents the user from keeping both hands upon the handlebars.

L. Reserved.

M. Lamps and Equipment on Electric Scooters.

- 1. Electric scooters in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front with a lamp emitting a red light visible from a distance of five hundred (500) feet to the rear.*
- 2. Electric scooters shall be equipped with a kick stand to prevent them from toppling over when parked.*

N. Electric Scooter Parking/Placement.

- 1. Electric scooters are permitted to be secured at the bicycle racks in the Township for up to four consecutive days without being utilized.*
- 2. Electric scooters shall be parked in designated electric scooter parking areas if they are available and advertised as such by either signage, pavement markings, or racks.*
- 3. Electric scooters may be attached or secured to the bicycle rack with a U-lock, chain lock, or any type of lock made specifically for bicycles. No person shall attach or secure an electric scooter to any fixed object not suited for electric scooter parking or typically used for bicycle parking. No person or owner shall leave an electric scooter lying on or standing upon the sidewalk or any portion of the Township's right-of-way as to impede the pedestrian egress pathway such that less than four feet shall remain for pedestrian travel.*

O. Abandonment of Electric Scooters.

- 1. An electric scooter may be deemed abandoned by the Township if:
 - a. It has been parked for a period of forty-eight (48) or more consecutive hours except in designated bicycle racks and approved marked areas;*
 - b. It appears visually to be in a state of prolonged disuse such that it has deflated tires, damaged or missing equipment making it inoperable, accumulated debris associated with it;*
 - c. It is found in any other condition in which an electric scooter would be deemed abandoned; or*
 - d. It is parked, placed or left on a roadway or in any public right-of-way in violation of this chapter.**
- 2. It shall be unlawful for any person, user or owner to abandon any electric scooter within the Township.*
- 3. In the event that an electric scooter is deemed to be abandoned as defined herein, the Township's department of code enforcement and public works and the Township police department shall have the authority to seize and impound same or place an abandoned electric scooter notice, in the form of an adhesive sticker, on the electric scooter itself to notify the user and/or owner that said electric scooter is deemed to be abandoned pursuant to this section and that it will be removed and disposed of if not removed.*
- 4. The notice in the form of an adhesive sticker shall state the following:
 - a. The date after which the electric scooter may be removed if the owner/user does not remove and reclaim it; and*
 - b. The name and contact information of a Township representative to contact in case the electric scooter has been mistakenly identified as abandoned.**

5. *Once an abandoned notice sticker has been placed on the electric scooter, the owner of the electric scooter shall have forty-eight (48) hours as set forth on the notice sticker to remove the electric scooter from the location. If it is not removed within the forty-eight (48) hour notice period as provided on the sticker, it may thereafter be removed from its location by any means necessary and held by the Township until claimed by the owner as provided for in this section. If the electric scooter is not claimed, it shall be disposed of by the Township in accordance with the law.*
6. *Any electric scooter seized by the Township pursuant to this section shall be impounded by the Township and only released to the owner after payment to the Township of the seizure and impoundment fee of one hundred dollars (\$100.00). Any electric scooter not claimed by its owner within ten (10) days of the date of impoundment shall pay a two dollar (\$2.00) per day fee from the date of impoundment. Any electric scooter not claimed by the owner shall be disposed of by the Township in accordance with the law.*
- P. *Shared Electric Scooter Rental Restriction. The shared electric scooter user shall be the same person who made the rental reservation. No person shall rent a shared electric scooter for another user.*
- Q. *Electric Scooter Charging. No electric scooter battery shall be recharged in the public right-of-way without prior written authorization from the Township.*
- R. *Electric Scooter Disposal. All electric scooters shall be disposed of in a manner in accordance with state and federal regulations as they relate to hazardous materials disposal.*
- S. *All operators of electric scooters shall certify once (at the time of sign-up for an electric scooter program), prior to riding, that they have read Township of Piscataway Code Chapter 7-41 and shall comply with state law (N.J.S.A. 39:1-1 et seq.) as applicable.*
- T. *governing electric scooter use.*
- U. *Scooters shall not be operated within public parks unless they are being operated on a bicycle path or roadway through the park, or if it is necessary to cross through the park to reach an e-scooter parking location, users must dismount from the scooter and walk it to the destination.*

7-41.5 Violations and penalties.

- A. *Except as detailed below, in the event that any user or owner violates the terms of this chapter, the violator shall be subject to a fine in the Municipal Court of the Township of Piscataway in an amount of one hundred dollars (\$100.00).*

No court appearance shall be required for this violation.

- B. *If the offense is for carrying more persons at one time than the number for which the vehicle is equipped in violation of Section 7-41.4(D), the penalty for the first offense shall be fifty dollars (\$50.00);*

1. *The penalty for the second offense and any subsequent offenses shall be one hundred dollars (\$100.00).*

No court appearance shall be required for this violation.

- C. *If the offense is for riding on a sidewalk in violation of Section 7-41.4(J), the penalty for the first offense shall be two hundred fifty dollars (\$250.00);*

1. *The penalty for subsequent offenses shall be five hundred dollars (\$500.00) per occurrence.*

No court appearance shall be required for this violation.

- D. *If the offense is for electric scooter parking/placement, in violation of Section 7-41.4(N), the penalty shall be one hundred dollars (\$100.00) per offense and each continuing day shall be deemed a separate offense.*

No court appearance shall be required for this violation.

7-41.6 RESERVED.

7-41.7 Shared electric scooters services and programs.

- A. *Any shared electric scooter company may operate their service within the Township of Piscataway provided they meet the following criteria:*
1. *The company providing the shared electric scooter service shall agree with the Township on the number of electric scooters that they can operate at any given time. The number of electric scooters per each company will be set or altered upwards by the Township of Piscataway Council by resolution at a frequency of not more often than every once per calendar month. The company may at their own discretion adjust the number of scooters downwards without Township council action.*
 2. *All electric scooters that are part of a shared electric scooter service shall be required to have a minimum of two wheels.*
 3. *The company that expresses interest in offering a shared electric scooter service in the Township will agree to a pilot program of not more than ninety (90) days with no more than two-hundred (200) initial electric scooters during that time period.*
 4. *The company will provide the Township a fee of fifty dollars (\$50.00) per scooter in an effort to mitigate the cost of additional electric scooter enforcement, the creation of electric scooter infrastructure, and education around the topic of electric scooter safety.*
 5. *The company will provide the Township with a payment of fifteen cents (\$0.15) per scooter trip to support increased enforcement of Township scooter regulations and related infrastructure improvements.*
 6. *The Township will set a maximum number of electric scooters provided in aggregate by all companies to be permitted to operate within the Township. The number is to be no more than six hundred (600) electric scooters.*
 7. *The company will use any reasonable means of technology, such as but not limited to geofencing, to limit their electric scooter operations to comply with Chapter 7, Section 41 of the Township Code.*
 8. *Company shall provide Township with proof of insurance coverage exclusively for the operation of stand-up electric scooters including:*
 - a. *Commercial general liability insurance coverage with a limit of no less than one million dollars (\$1,000,000.00) each occurrence and two million dollars (\$2,000,000.00) aggregate;*
 - b. *Automobile insurance coverage with a limit of no less than one million dollars (\$1,000,000.00) each occurrence and one million dollars (\$1,000,000.00) aggregate;*
 - c. *Umbrella or excess liability coverage with a limit of no less than five million dollars (\$5,000,000.00) each occurrence/aggregate; and*
 - d. *Where company employs persons within the Township, workers' compensation coverage of no less than the statutory requirement.*
 9. *If company collects anonymized fleet and ride activity data for all trips starting or ending within the jurisdiction of the Township on any vehicle of licensee or of any person or company controlled by, controlling, or under common control with licensee, then that data will be shared with the Township, provided steps are taken to ensure individual privacy and protect trade secrets.*
 10. *The company will be required to have an identification plate on all of their electric scooters.*

11. *The company will disable and store away all electric scooters on days of inclement weather and for forty-eight (48) hours following a snowfall of greater than five inches.*
12. *Electric scooters that are not in compliance with Section 7-41.7(A)(12) will be subject to the regulations located within Chapter 3, Police Regulations, Section 5, Abandoned Motor Vehicles.*
13. *The Township and any shared electric scooter service company shall formalize by way of an agreement that provides the specifics of their services as it relates to this Section 7-41.7.*

* * *

**CHAPTER III
POLICE REGULATIONS
3-28 NUISANCES**

3-28.1 Findings and Purpose.

- A. *The Township Council of the Township of Piscataway finds and declares that there are properties located in the Township where nuisances exist and other activities occur which have resulted in the excessive consumption of municipal services.*
- B. *The Township Council of the Township of Piscataway finds and declares that the cost of the excessive consumption of municipal services relating directly to these nuisance properties should be paid by the property owner and not through general tax revenues.*
- C. *This chapter is intended to establish regulations and procedures identifying and providing for the assessment and timely payment of the cost of excessive consumption of municipal services associated with these nuisance properties.*

3-28.2 Definitions.

As used in this chapter, the following terms are defined as set forth herein:

EXCESSIVE MUNICIPAL SERVICES

Any qualifying Township of Piscataway Police Department calls made to a property while that property is on probationary nuisance status.

NUISANCE PROPERTY

Properties on which activities occur that result in qualifying Piscataway Township Police Department calls for municipal services during any sixty-day period in excess of the number of calls listed on the schedule in §3-28.5 are considered nuisance properties and are subject to the penalties and procedures as set forth in this chapter.

PROBATIONARY NUISANCE STATUS

The designation applied to properties which, as determined by a public officer, have received the requisite number of qualifying calls within a sixty-day period. Probationary nuisance status is effective for a twelve-month period beginning on the date of the public officer's determination. During probationary nuisance status, the property owner is liable to the Township Council of the Township of Piscataway for user charges from each qualifying call.

QUALIFYING CALLS

Calls resulting in Piscataway Township Police Department responses to potential violations of state or local laws, regulations, or ordinances, including, but not limited to, those cited in the following list, and others not so identified but specifically determined to be qualifying by the hearing officer. Whether or not a call is deemed qualifying shall be at the discretion of the hearing officer(s). Not included in the following list are calls for permitting, licensing, inspections, or similar administrative functions and calls from or on behalf of victims who reside at the property which is the subject matter of the call.

- A. *The sale, service, or consumption of alcoholic beverages.*
- B. *Disorderly conduct, disturbing the peace, littering or excessive noise.*
- C. *Damage to property.*
- D. *Improperly parking a vehicle, or any motor vehicle violation on private property.*
- E. *Possession of a barking, howling, biting, or dangerous animal.*
- F. *Possession, distribution, or use of a controlled substance.*
- G. *Prostitution.*
- H. *Public urination, defecation, or indecent exposure.*
- I. *Criminal activity.*
- J. *Juvenile Complaints/Juvenile Activity*

USER FEE

A fee of \$300 for each additional qualifying call made to the subject property within the twelve-month period following the date a complaint is issued for excessive consumption of municipal services.

3-28.3. Designation of Public Officer.

The Township Chief of Police, or his designee, shall administer the necessary recordkeeping and investigation required in connection with this chapter.

3-28.4. Reporting of Municipal Service Use; Coordination for Enforcement.

- A. *The Township Chief of Police, or his designee, must keep and maintain records documenting the following information concerning the properties serviced:*
 - (1) *The exact address and Tax Map designation of the subject property.*
 - (2) *The name(s) and address of property owners.*
 - (3) *The date(s) of the incident(s).*
 - (4) *A full description of the nature of the incident and the violation(s).*
 - (5) *The identity of the public employee providing the services.*
- B. *The Piscataway Township Police Department providing the excessive municipal services shall coordinate as needed with other municipal agencies and the Municipal Attorney to enforce this chapter.*

3-28.5. Determination of Excessive Use.

During any sixty-day period, properties that necessitate qualifying calls for municipal services that exceed the amounts set forth in the following schedule are designated nuisance properties and subject to penalties and procedures established under this chapter.

- A. *Residential properties of one through four dwelling units: 5 qualifying calls.*

B. Multifamily dwelling and hotel/motel uses:

- (1) 5 through 40 dwelling units: 10 qualifying calls.*
- (2) 41 through 80 dwelling units: 20 qualifying calls.*
- (3) 81 through 200 dwelling units: 30 qualifying calls.*
- (4) Over 200 dwelling units: 40 qualifying calls.*

C. Community residences: 5 qualifying calls.

D. Convenience, grocery, liquor and retail stores: 10 qualifying calls.

E. Restaurants, bars, and entertainment establishments: 30 qualifying calls.

F. All other properties not included in the preceding categories: 10 qualifying calls.

3-28.6. Notice Requirements; Complaint Procedure.

A. Whenever the public officer determines that any property has become a nuisance property based on excessive consumption of municipal services, he or she shall issue a complaint and summons reciting the location of the property, stating that the property is on probationary nuisance status, and the allegations supporting a finding of excessive use and a notice of hearing setting forth the date and time and place for a hearing on the matter.

B. The complaint shall also provide notice:

- (1) That the property will be on probationary nuisance status for the 12 months following the date of the complaint.*
- (2) That, during the probationary nuisance status period, each additional qualifying call to the property will be subject to a user fee of \$300 per call.*
- (3) Listing the dates and the nature of the qualifying calls made to the subject property that gave rise to the determination of excessive use.*
- (4) Directing that the offending activities be immediately abated.*

C. The complaint and notice of hearing shall be served on the property owner. Service shall be made by regular mail and either certified mail return receipt required, or overnight delivery service to the last-known address of the recipient as it appears in Township records.

D. If the whereabouts of the property owner cannot be ascertained by reasonable diligence, service of the complaint and notice of hearing shall be effectuated as follows:

- (1) One-time publication of the complaint and notice of hearing in one of the Township's official newspapers.*
- (2) Conspicuous posting of the complaint and notice of hearing on a building or structure located on the subject property.*

E. Whenever an individual dwelling unit within a multifamily dwelling has received five qualifying calls within a sixty-day period, the public officer shall notify the property owner as provided hereunder so that the property owner can take action to abate the

nuisance. This notice shall be issued notwithstanding that the multifamily dwelling did not receive the required number of qualifying calls that would trigger a notice of violation.

- F. Should the number of qualifying calls to any property meet or exceed 50% of the number specified in §3-28.5, the public officer may, but is not required to, so notify the owner, tenant, or occupant thereof.*

3-28.7. Hearing Procedure; Cost to Be Assessed; Violations and Penalties.

- A. A hearing shall be held on the allegations recited in the complaint. The public officer or other police officers involved shall present evidence and testify at the hearing and may produce witnesses in support of the allegations recited in the complaint. The property owner and any interested party shall have the right to appear at the hearing and testify, produce witnesses, and be represented by an attorney.*
- B. The Municipal Attorney shall serve as hearing officer. The hearing officer is charged with determining whether, in a sixty-day period, the subject property received qualifying calls in excess of those permitted under § 3-28.5. If so, the hearing officer shall confirm that the property was on probationary nuisance status from the date of the complaint. If the hearing officer also determines that qualifying calls were made to the subject property during the probationary period, the fact shall be so noted in the hearing officer's findings. Based on these findings, the hearing officer shall enter an order against the property owner.*
- C. The following shall be memorialized in the hearing officer's order:
 - (1) A finding that the subject property was on probationary nuisance status.*
 - (2) A determination that an excessive number of qualifying calls were made to the subject property during the probationary nuisance status period.*
 - (3) An assessment of the reasonable costs of litigation, including, but not limited to, the costs of a court reporter and transcript, and an administration fee of \$100.*
 - (4) An assessment of a user fee of \$300 per call for each qualifying call, in excess of the permitted number. If the qualifying calls involved the same tenant or occupant, this fee may be apportioned between the owner and the tenant/occupant.**
- D. Additional qualifying calls to the subject property following the hearing and within a one-year period from the date of the complaint constitute a further violation of this chapter and are subject to a \$300 per call user fee. A summons and complaint shall be filed in the Piscataway Municipal Court for each subsequent qualifying call, each being a separate violation, with the \$300 per call user fee the penalty to be imposed upon a guilty plea or conviction. Notice of this provision shall be incorporated in the hearing officer's order.*
- E. The hearing officer's order shall be served upon the appropriate parties in the same manner as service of the complaint and notice of hearing; except that, in the event the whereabouts of the property owner, tenant, or occupant cannot be ascertained, then the order shall also be recorded in the Middlesex County Clerk's office.*

3-28.8. Assessment of Lien.

- A. Any fees, costs, or penalties that remain unpaid 60 days from the date of an order issued pursuant to this chapter shall be assessed as a lien against the subject*

property, enforceable and collectible in the same manner as liens for delinquent real property taxes and municipal service charges.

- B. Pursuant to N.J.S.A. 40:52-1.2, municipal licenses, permits, and certificates of occupancy applied for or issued to the subject property may be revoked, suspended, withheld, or denied renewal for failure to comply with and satisfy any payment obligations under an order imposed pursuant to this chapter.

* * *

BE IT FURTHER ORDAINED that Chapter XXI, Zoning, Section 1301, Specifically Prohibited Uses For All Zones – Examples, Chapter XXXI, Streets and Sidewalks, Section 1, Openings in Streets and Sidewalks, Chapter XVII, Property Maintenance, Property Maintenance Code Adopted, and Chapter XIV, Building, Section 4, Certificates of Occupancy and Continued Compliance, 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**

21-1301 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:

* * *

21-1301.23 Second Kitchens in a single-family Dwelling Unit.

* * *

**CHAPTER XXXI
STREETS AND SIDEWALKS**

31-1 OPENING IN STREETS AND SIDEWALKS

* * *

31-1.2 Permit Required.

- a. No person shall open or cause to be opened, by cutting or excavating the surface or soil of any street, any sidewalk area or public ground or any surface or soil within *the right-of-way* [five feet] of any street, sidewalk area or public ground, for any purpose whatsoever, without first obtaining therefor from the Director of Community Development, a written permit for street opening.

* * *

- c. In cases where a street has been paved in the discretion of the Director within the last [five] *eight* years, the extent of repairs may be significantly greater, and may include extensive milling and repaving to return the street to the condition it was in prior to the opening. The bonding required in these cases shall reflect the need for additional work.

* * *

31-1.5. INSURANCE REQUIRED.

- a. Except as hereinafter provided, no permit for *a commercial or multiple dwelling unit property* street opening shall be issued by the Director until the applicant therefor shall have first placed on file with the Director, without cost to the Township, satisfactory evidence:

1. Of *general* [public] liability insurance in the amount of not less than \$3,000,000 for any one occurrence.
 2. Of [property damage] *excess/umbrella liability* insurance in the amount of not less than \$1,000,000 for any one occurrence. *Each additional \$1,000,000 in excess/umbrella liability may count toward the general liability insurance total for any one occurrence.*
 3. Of automobile liability insurance in the combined single limit of \$1,000,000 for each accident.
- b. No permit for street opening [for the purposes of sidewalk replacement or sump pump pipe discharge location] for a one- or two-family residential use *property* shall be issued by the Director until the applicant therefor shall have first placed on file with the Director, without cost to the Township, satisfactory evidence:
1. Of *general* [public] liability insurance in the amount of not less than \$2,000,000 for any one occurrence.
 2. Of [property damage] *excess/umbrella liability* insurance in the amount of not less than \$1,000,000 for any one occurrence. *Each additional \$1,000,000 in excess/umbrella liability shall count toward the general liability insurance total for any one occurrence.*
 3. Of automobile liability insurance in the combined single limit of \$1,000,000 for each accident.

* * *

CHAPTER XVII
PROPERTY MAINTENANCE
17-1 PROPERTY MAINTENANCE CODE ADOPTED

* * *

SECTION PM-106.0 VIOLATIONS.

* * *

PM-106.2 Penalty: Any person, firm, or corporation who shall violate any provisions of this code shall be subject to the fine of not less than \$250 nor more than \$2,000, or imprisonment for a term not to exceed 90 days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense. The penalties pursuant to this section may be collected in a summary proceeding pursuant to N.J.S.A. 2A.58-1 et seq. (Penalty Enforcement Law).

* * *

d. Pursuant to N.J.S.A. §40:48-2.12f, the Township, by resolution of its governing body, may abate a nuisance, correct a defect, or put the premises in proper condition so as to comply with the requirements of any municipal ordinance or State law applicable thereto, at the cost of the owner or lessor, and expend municipal funds for such purpose and charge the same against the premises, and the amount thereof as determined by the governing body of the municipality shall be a lien against the premises and collectible as provided in this act.

* * *

CHAPTER XIV
BUILDING
14-4 CERTIFICATES OF OCCUPANCY AND CONTINUED [OCCUPANCY] COMPLIANCE.

* * *

14-4.3.1 Certificates of Occupancy [and Continued Occupancy.]

- a. A [municipal] certificate of occupancy ("CO") is hereby required as a precondition for the occupancy, in whole or in part, of any new residential dwelling or building addition to a residential dwelling.
- [b. A municipal certificate of continued occupancy ("CCO") is hereby required as a precondition for the continued occupancy, in whole or in part, of any existing residential dwelling, and any commercial, industrial and office structure.]
- b. [c.] A CO is a document issued by the Township upon a determination that a residential dwelling is fit for human habitation in accordance with the [provisions of the Uniform Construction Code,] ordinances of the Township of Piscataway, and any other national laws, codes, rules and regulations.
- [d. A CCO is a document issued by the Township upon a determination that an existing residential dwelling continues to remain fit for human habitation or a commercial, industrial or office structure remains fit for human occupancy in accordance with the provisions of the Uniform Construction Code, ordinances of the Township of Piscataway, and any other national laws, codes, rules and regulations.]
- c. [e.] No owner or agent shall sell, lease, rent, transfer or grant with right of occupancy, whether or not for monetary or other consideration, any new or existing dwelling, unit or premises on which a building or structure is located and used for human occupancy or a commercial, industrial or office structure used for human occupancy unless a CO[, or CCO, as the case may be,] is first obtained from the Township, after submittal of a complete application therefor and the fee provided for herein. The Township Construction Official and/ or the Supervising Official and/or Zoning Officer shall be afforded the opportunity to inspect the building, structure and/ or premises by the owner, and said owner shall consent to said inspection(s).
- [f. Continued certificates of occupancy are required upon a change of tenancy of commercial, industrial and office usages in the Township. It shall be the responsibility of the Zoning Officer to receive and review such applications. The review shall include, but not be limited to, a description of the proposed use, the hours of operation, the number of employees, the parking requirements, the nature of deliveries or shipments, etc. A certificate of occupancy shall not be issued for a change of tenancy until the new tenant has registered with the Fire Prevention Bureau and has met the requirements of the New Jersey Uniform Fire Code.]
- [g. The owner of a residential dwelling unit is hereby charged with responsibility for making written application in accordance with this section for a CCO. The buyer or tenant of such dwelling or structure may elect to assume the seller's responsibility, including the obligation to correct all violations; provided, however, that such election shall be in writing and shall state that the buyer or tenant is totally aware that he, she or it is assuming responsibility for obtaining a CCO pursuant to this section; and provided, further, that such written election shall be filed with the Supervising Official. If, in the opinion of the Supervising Official, the violations do not affect life safety, then the buyer or tenant may be permitted to occupy the residential unit during the time the violations are being corrected. The buyer shall not occupy the structure until all life safety violations are corrected and the structure is reinspected by the Township. Upon correction of all violations of any nature, the buyer or tenant shall request the Township to reinspect the structure for compliance. Upon the Township determining that buyer or tenant is in complete compliance, an unconditional CCO shall be issued.]
- [h. The Supervising Official shall issue a CCO, provided that there are no violations of law or orders of the Construction Official, in consultation with the Zoning Officer, and it is established, after site inspection and investigation of available municipal records, that the alleged use of the structure has lawfully existed. The CCO shall evidence only that a general inspection of the visible parts of the building or structure has been made and that no violations of N.J.A.C. 5:23-2.14, as amended (Construction Permits — When Required), and N. J. A. C. 5: 23- 2. 18, as amended (Required Inspections), have been determined to exist, no conditions of violation of N.J.A.C. 5:23-2.32, as amended (Unsafe Structures), or unsafe conditions have been observed and no violations of the Revised General Ordinances of the Township of Piscataway have been found to exist.]

- [i. If the Supervising Official, as the result of a permit records search and/or a general inspection of visible parts of the structure, finds a violation as set forth in subsection e, he shall notify the owner of the violation in writing by electronic or regular mail or by hand-delivering the notice to the owner or his agent. The notice shall identify the premises and specify the violations and any remedial action required, along with a compliance date. The notice will require the owner to satisfy the violations and file any necessary permits as required, and the notice shall also state that failure to correct the violations within the times specified shall result in fines as prescribed in the Uniform Construction Code.]
- [j. A temporary certificate of continued occupancy, if issued, in the discretion of the Supervising Official, shall be effective for a period of up to 90 days. One administrative extension of not more than 30 days may be granted by the Supervising Official. If the owner of the dwelling unit fails to sell, transfer or grant the right of occupancy within this period, the owner shall make a new written application for and obtain a new CCO.]
- d. [k. A CO [and CCO] shall be valid for a period of six months from the date of issue, unless a change in occupancy has occurred, and must be renewed for each occupancy.
- [l. The following fees must accompany an application for a CCO for a commercial, industrial or office usage:
 - 1. 25,000-50,000 sq. ft.: \$1,000.
 - 2. 50,000 sq. ft. or greater: \$1,500.
 - 3. Temporary Municipal Continued Certificate of Occupancy for commercial or office uses: \$150.
 - 4. Temporary Municipal Continued Certificate of Occupancy for industrial uses: \$500.]

14-4.3.2 Certificates of Continued Compliance.

- c. *A municipal certificate of continued compliance ("CCC") is hereby required as a precondition for the continued occupancy, in whole or in part, of any existing residential dwelling, and any commercial, industrial and office structure.*
- d. *A CCC is a document issued by the Township upon a determination that an existing residential dwelling continues to remain fit for human habitation or a commercial, industrial or office structure remains fit for human occupancy in accordance with the ordinances of the Township of Piscataway, and any other national laws, codes, rules and regulations.*
- e. *Continued certificates of compliance are required upon a change of tenancy of commercial, industrial and office usages in the Township. It shall be the responsibility of the Zoning Officer to receive and review such applications. The review shall include, but not be limited to, a description of the proposed use, the hours of operation, the number of employees, the parking requirements, the nature of deliveries or shipments, etc. A CCC shall not be issued for a change of tenancy until the new tenant has registered with the Fire Prevention Bureau and has met the requirements of the New Jersey Uniform Fire Code.*
- f. *The owner of a residential dwelling unit is hereby charged with responsibility for making written application in accordance with this section for a CCC. The buyer or tenant of such dwelling or structure may elect to assume the seller's responsibility, including the obligation to correct all violations; provided, however, that such election shall be in writing and shall state that the buyer or tenant is totally aware that he, she or it is assuming responsibility for obtaining a CCC pursuant to this section; and provided, further, that such written election shall be filed with the Supervising Official. If, in the opinion of the Supervising Official, the violations do not affect life safety, then the buyer or tenant may be permitted to occupy the residential unit during the time the violations are being corrected. The buyer shall not occupy the structure until all life safety violations are corrected and the structure is reinspected by the Township. Upon correction of all violations of any nature, the buyer or tenant shall request the Township to reinspect the structure for compliance. Upon the Township determining that buyer or tenant is in complete compliance, an unconditional CCC shall be issued.*

- g. *The Supervising Official shall issue a CCC, provided that there are no violations of law or orders of the Construction Official, in consultation with the Zoning Officer, and it is established, after site inspection and investigation of available municipal records, that the alleged use of the structure has lawfully existed. The CCC shall evidence only that a general inspection of the visible parts of the building or structure has been made and that no violations of N.J.A.C. 5:23-2.14, as amended (Construction Permits — When Required), and N.J.A.C. 5: 23- 2. 18, as amended (Required Inspections), have been determined to exist, no conditions of violation of N.J.A.C. 5:23-2.32, as amended (Unsafe Structures), or unsafe conditions have been observed and no violations of the Revised General Ordinances of the Township of Piscataway have been found to exist.*
- h. *If the Supervising Official, as the result of a permit records search and/or a general inspection of visible parts of the structure, finds a violation as set forth in subsection e, he shall notify the owner of the violation in writing by electronic or regular mail or by hand-delivering the notice to the owner or his agent. The notice shall identify the premises and specify the violations and any remedial action required, along with a compliance date. The notice will require the owner to satisfy the violations and file any necessary permits as required, and the notice shall also state that failure to correct the violations within the times specified shall result in fines.*
- i. *A temporary certificate of continued compliance, if issued, in the discretion of the Supervising Official, shall be effective for a period of up to 90 days. One administrative extension of not more than 30 days may be granted by the Supervising Official. If the owner of the dwelling unit fails to sell, transfer or grant the right of occupancy within this period, the owner shall make a new written application for and obtain a new CCC.*

14-4.4. Fees.

- a. The Township of Piscataway shall charge application fees for a CO and CCO as follows:

Type	Fee
CO or [CCO] CCC - 1- or 2-family (1-5 business days)	\$100 per unit
CO or [CCO] CCC - 1- or 2-family (6-10 business days)	\$75 per unit
CO or [CCO] CCC - 3 or more dwelling units (1-5 business days)	\$50 per unit
CO or [CCO] CCC - 3 or more dwelling units (6-10 business days)	\$40 per unit
Temporary CO or [CCO] CCC - 1- or 2-family dwelling	\$100 per unit
Temporary CO or [CCO] CCC - 3 or more dwelling units	\$75 per unit
Second inspection fee	\$75
Third inspection fee	\$150

The following fees must accompany an application for a CCC for a commercial, industrial or office usage:

Type	Fee
0 – 25,000 sq. ft.	\$500
25,000 – 50,000 sq. ft.	\$1,000
50,000 -100,000 sq. ft.	\$1,500
100,000 sq. ft. or greater	\$2,000

<i>Temporary Municipal Continued CCO for commercial or office uses</i>	\$150
<i>Temporary Municipal Continued CCO for industrial uses</i>	\$500

Type	Fee
MCC[O]C — 1- or 2-family	\$150 per unit
MCC[O]C — 3 or more dwelling units	\$100 per unit
Temporary MCC[O]C — 1- or 2-family dwellings and multiple-dwelling units	\$125 per unit
Reinspection fee — 1- and 2-family dwelling units (3rd or any additional inspections)	\$100 per inspection per unit
Reinspection fee — multiple-dwelling units (2nd or any additional inspections)	\$100 per inspection per unit

* * *

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 publication as required by law.

Mr. Shah opened the Meeting to the Public for Comments.
Charlie Kratovil spoke.

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

RESOLUTION offered by Mrs. Lombardi, seconded by Mr. Bullard: 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, ADDING CHAPTER IV (4), LICENSING AND BUSINESS REGULATIONS, SECTION 4.1, SALE OF MOTOR VEHICLES, CHAPTER VII (7), TRAFFIC, SECTION 41, ELECTRIC SCOOTERS, AND CHAPTER III (3), POLICE REGULATIONS, SECTION 28, NUISANCES AND AMENDING CHAPTER XXI (21), ZONING, SECTION 1301, SPECIFICALLY PROHIBITED USES FOR ALL ZONES – EXAMPLES, CHAPTER XXXI (31), STREETS AND SIDEWALKS, SECTION 1, OPENINGS IN STREETS AND SIDEWALKS, CHAPTER XVII (17), PROPERTY MAINTENANCE, SECTION 1, PROPERTY MAINTENANCE CODE ADOPTED, AND CHAPTER XIV (14), BUILDING, SECTION 4, CERTIFICATES OF OCCUPANCY AND CONTINUED COMPLIANCE, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY was introduced on the 23rd day of November, 2021 and had passed the first reading and was published on the 27th day of November, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 14, 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. 2021-41.
On roll call vote: Messrs. Bullard, Cahill, Cahn, Lombardi, Uhrin, and Shah answered yes.

The Clerk read for SECOND READING the following ORDINANCE: AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 6702, LOT 6.02 (40 KINGSBRIDGE ROAD), AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF PISCATAWAY

WHEREAS, the Township of Piscataway (the “Township”) is committed to redeveloping the area commonly known as Block 6702, Lot 6.02 (40 Kingsbridge Road) (the “Redevelopment Area”); and

WHEREAS, the Township Council of the Township authorized, by Resolution #21-215, adopted on May 11, 2021, the Planning Board of the Township to undertake a preliminary investigation to determine whether the Property should qualify as a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, on October 13, 2021, the Planning Board of the Township held a public hearing regarding the determination of the Property as an Area in Need of Redevelopment; and

WHEREAS, the preliminary investigation report, prepared by James F. Clarkin IV, PP, AICP of 4Site Planning, LLC, provided that the parcel included within the study, identified as Block 5901, Lot 6.02, met the statutory criteria “B, D & H” conditions to support the conclusion that these parcels may be determined to be an Area in Need of Redevelopment as set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, after reviewing the preliminary investigation report and conducting the public hearing, the Planning Board of the Township found that the aforementioned parcels, located at Block 6702, Lot 6.02, met the statutory criteria for being designated an Area in Need of Redevelopment and made a formal recommendation that these parcels be designated as an Area in Need of Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, pursuant to Resolution #21-381, dated November 4, 2021, the Township Council declared Block 6702, Lot 6.02 (40 Kingsbridge Road) as an Area in Need of Redevelopment; and

WHEREAS, the Township authorized 4Site Planning, LLC to prepare a redevelopment plan for the Redevelopment Area, which plan is entitled, “40 Kingsbridge Road Redevelopment Plan, Block 6702 Lot 6.02, Piscataway Township, Middlesex County, New Jersey” dated November 23, 2021 (“Redevelopment Plan”) and attached hereto as Exhibit A; and

WHEREAS, the Township Council reviewed the Redevelopment Plan and now desires to adopt the Redevelopment Plan, a copy of which is annexed hereto as Exhibit A; and

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

Section 1. The Township hereby approves and establishes the aforementioned Redevelopment Plan, for the area commonly known as Block 6702, Lot 6.02 (40 Kingsbridge Road), prepared by CME Associates (“Redevelopment Plan”) and attached hereto as Exhibit A pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 2. The aforementioned Redevelopment Plan shall supersede all provisions of the Zoning and Development Regulations of the Township of Piscataway regulating development in the area addressed by said Redevelopment Plan, unless otherwise noted in said Redevelopment Plan.

Section 3. Final adoption of said Redevelopment Plan by the Township Council shall be considered an amendment of the Township of Piscataway Zoning Map. The Zoning District Map in the Zoning Ordinances of the Township shall be amended to include the boundaries described in the aforementioned Redevelopment Plan and the provisions therein.

Section 4. All of the provisions of said Redevelopment Plan shall supersede the applicable development regulations of the Township’s ordinances, as and where indicated, for the properties subject to said Redevelopment Plan. In the event of any inconsistencies

between the provisions of said Redevelopment Plan and any prior ordinance of the Township of Piscataway, the provisions of said Redevelopment Plan shall govern.

Section 5. A copy of this Ordinance and said Redevelopment Plan shall be forwarded, after introduction, to the Piscataway Township Planning Board for a Master Plan consistency review in accordance with N.J.S.A 40A:12A-7e.

Section 6. Should any section, paragraph, sentence, or clause of this Ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared severable.

This Ordinance shall take effect immediately upon second reading, final passage and publication as required by law.

Mr. Shah opened the Meeting to the Public for Comments. There being no comments, this portion was closed to the public.

RESOLUTION offered by Mr. Bullard, seconded by Mr. Uhrin: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 6702, LOT 6.02 (40 KINGSBRIDGE ROAD), AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF PISCATAWAY was introduced on the 30th day of November, 2021 and had passed the first reading and was published on the 3rd day of December, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 14, 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. 2021-42.

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

RESOLUTION 21-418

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 December 14, 2021 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Tax Appeal Settlements:
 - 80 Kingsbridge Road Spe LLC – Block 6702, Lot 8.01 – 80 Kingsbridge Road.
 - Kingsbridge 2005 Diversified Management – Block 6703, Lot 6.09 – 140 Centennial Avenue.
- b. RESOLUTION – Authorizing Award of Professional Engineering Services Contract – Lake Park Drive Culvert – Naik Group – Not to Exceed \$350,000.00.
- c. RESOLUTION – Authorizing Award of Professional Engineering Services Contract – Brunella Avenue Improvements – Najarian Associates - Not to Exceed \$69,000.00.
- d. RESOLUTION – Authorizing Award of Professional Engineering Services Contract – Patton Avenue Roadway Improvements – Alaimo Group - Not to Exceed \$98,000.00.
- e. RESOLUTION – Authorizing Award of Professional Engineering Design Services Contract – 2022 Sidewalk Improvements – Grotto Engineering Associates – Not to Exceed \$356,799.89.
- f. RESOLUTION – Designation of Township Council Meeting Dates – 2022.

- g. RESOLUTION – Authorizing Award of a Two Year Contract - LMxAC, Libraries of Middlesex Automation Consortium for Automation Services Not to Exceed \$208,000.00.
- h. RESOLUTION – Authorizing Award of a Two Year Contract - Baker & Taylor for Books and Non-print Materials for the Piscataway Township Library – Not to Exceed \$250,000.00.
- i. RESOLUTION – Authorizing Award of a Two Year Contract - Midwest Tape for Non-print Materials for Piscataway Township Library - Not to Exceed \$40,000.00.
- j. RESOLUTION – Authorizing Award of a Two Year Contract - OverDrive for Non-print Materials for Piscataway Township Library - Not to Exceed \$60,000.00.
- k. RESOLUTION – Authorizing Renewal of Contract with MicroSystems-NJ.com for MOD IV Program for Assessing – January 1, 2022 through December 31, 2022 – not to exceed \$16,128.78.
- l. RESOLUTION – Authorizing Participation in the Defense Logistics Agency, Law Enforcement Support Office, 1033 Program.
- m. RESOLUTION – Authorizing Award of Contract for 2023 Reassessment Inspections (Inspections Conducted in 2022) – Professional Property Appraisers, Inc. – Not to Exceed \$104,677.00.
- n. RESOLUTION – Authorizing Award Contract for Data Collection & Inspection for Special Class 4, Class 1 and Class 15 Properties for 2023 Reassessment Inspections (Inspections to be Conducted in 2022) – Sterling DiSanto and Associates – Not to Exceed \$16,375.00.
- o. RESOLUTION - Authorizing CY2022 & CY2023 Wrecker Approvals.
- p. RESOLUTION – Authorizing Budget Transfers.
- q. RESOLUTION – Authorizing 2022 Temporary Budget.
- r. RESOLUTION – Authorizing Award of Professional Engineering Design Services Contract – Old New Brunswick Road Roadway Improvements Phase II – T & M Associates – Not to Exceed \$222,356.00.
- s. RESOLUTION – Authorizing Award of Professional Engineering Services Contract – Elwood Street Roadway Improvements – Alaimo Group – Not to Exceed \$98,000.00.
- t. RESOLUTION – Authorizing Award of Professional Engineering Services Contract – Normandy Drive Improvements – Remington & Vernick Engineers – Not to Exceed \$294,000.00.
- u. RESOLUTION – Authorizing Award of Professional Engineering Services Contract – Dunbar Avenue Roadway Improvements – CME Associates – Not to Exceed \$241,833.00.
- v. RESOLUTION – Authorizing Award of Contract for Professional Engineering Services – Fire Alarm System Upgrades at Sterling Village – T & M Associates – Not to Exceed \$27,600.00.
- w. RESOLUTION – Authorizing Amending Emergency Contract – Emergency Demolition at 595 Highland Avenue - Central Jersey Wrecking & Recycling, Inc. – Not to Exceed \$5,266.00.
- x. RESOLUTION – Authorizing Municipal Lien for Public Nuisance – Block 11302, Lot 4 – 595 Highland Avenue.
- y. RESOLUTION – Authorizing Return of Engineering and Inspection Fees:
 - Mendham Associates, LLC – Block 811, Lot 20.01 – 179 11th Street
 - Rockefeller Group Development Corporation – Block 3502, Lots 1.05, 6.04 & 6.05 – 171 River Road.
- z. RESOLUTION – Authorizing Return of Overpayment of Taxes – Various Blocks and Lots.
- aa. RESOLUTION – Authorizing Return of Sterling Village Security Deposit – Lynn Finch - Apt. 252.
- bb. RESOLUTION – Authorizing Release of Found Monies.
- cc. RESOLUTION – Authorizing Conservation Management Agreement with Middlesex County.

- dd. RESOLUTION – Authorizing Return of Performance Surety and Cash Bonds:
 - Duke Realty Limited Partnership – Block 4501, Lot 1.02 – 150 Old New Brunswick Road – 19-PB-39/42.
 - Muslim Center of Middlesex County – Block 12201, Lot 9.04 – 1000 Hoes Lane – 08-ZB-50/51V
 - Huatian Investment, LLC – Block 4302, Lot 11.01 – 251 Circle Drive North.
- ee. RESOLUTION – Authorizing Return of Bond:
 - United Realty USA LLC – Block 6907, Lot 9 – 412 Netherwood Avenue – Permit #2020-1254
- ff. RESOLUTION – Authorizing Award of Bid – 2022 Road Program for Curbs, Sidewalks, Driveway & ADA Ramps – Discover Construction LLC – Not to Exceed \$2,489,655.51.
- gg. RESOLUTION – Authorizing Small Balance Cancellation.
- hh. RESOLUTION – Authorizing Consent of Transfer and Assignment to Financial Agreement and Special Assessment Agreement - Block 3502, Lot 6.06.
- ii. MOTION – Accept the Report of the Clerk’s Account – November 2021.
- jj. MOTION – Accept Report of the Division of Revenue – November 2021.
- kk. MOTION – Receive and Enter into Minutes Disbursements for the Month of November 2021.
- ll. MOTION – Accept Council Meeting Minutes of November 23 and November 30, 2021.

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 December 14, 2021 Regular meeting and adopted by separate vote.

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

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

RESOLUTION 21-419

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:

80 Kingsbridge Road Spe LLC

Block 6702, Lot 8.01
80 Kingsbridge Rd

	2019 <u>Assessment</u>	2019 Proposed <u>Assessment</u>	2020 <u>Assessment</u>	2020 Proposed <u>Assessment</u>
Land	2,000,000	2,000,000	2,000,000	2,000,000
Improvements	<u>920,000</u>	<u>853,000</u>	<u>1,100,000</u>	<u>920,000</u>
Total	2,920,000	2,853,000	3,100,000	2,920,000

	2021 <u>Assessment</u>	2021 Proposed <u>Assessment</u>
Land	2,750,000	2,750,000
Improvements	<u>560,000</u>	<u>350,000</u>
Total	3,310,000	3,100,000

Kingsbridge 2005 Diversified Management

Block 6703, Lot 6.09

140 Centennial Ave

	2019 <u>Assessment</u>	2019 Proposed <u>Assessment</u>	2020 <u>Assessment</u>	2020 Proposed <u>Assessment</u>
Land	3,568,000	3,568,000	3,568,000	3,568,000
Improvements	<u>8,802,000</u>	<u>8,366,000</u>	<u>9,172,000</u>	<u>8,802,000</u>
Total	12,370,000	11,934,000	12,740,000	12,370,000

	2021 <u>Assessment</u>	2021 Proposed <u>Assessment</u>
Land	4,910,000	4,910,000
Improvements	<u>8,640,000</u>	<u>7,398,000</u>
Total	13,550,000	12,308,000

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 21-420

WHEREAS, the Township of Piscataway requires Professional Engineering Services for the Lake Park Drive Culvert Project (the "Project"); and

WHEREAS, Naik Group, Edison, NJ, has submitted a proposal, dated October 8, 2021, for Professional Engineering Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$350,000.00; and

WHEREAS, Naik Group, Edison, NJ, 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, pursuant to a Memorandum from the Township Supervisor of Engineering, dated November 30, 2021, said Supervisor of Engineering recommends awarding a contract for the Project to Naik Group; and

WHEREAS, there is funding available pursuant to certification # R-2021-0116;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Naik Group, Edison, NJ, to provide Professional Engineering Services for the Lake Park Drive Culvert Project, at the rates set forth in said Proposal, with such services not to exceed \$350,000.00 in cost.

RESOLUTION 21-421

WHEREAS, the Township of Piscataway requires Professional Engineering Services for the Brunella Avenue Improvements Project (the "Project"); and

WHEREAS, Najarian Associates, Eatontown, NJ, has submitted a proposal, dated October 7, 2021, for Professional Engineering Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$69,000.00; and

WHEREAS, Najarian Associates, Eatontown, NJ, 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, pursuant to a Memorandum from the Township Supervisor of Engineering, dated November 30, 2021, said Supervisor of Engineering recommends awarding a contract for the Project to Najarian Associates; and

WHEREAS, there is funding available pursuant to certification # R-2021-0115;
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Najarian Associates, Eatontown, NJ, to provide Professional Engineering Services for the Brunella Avenue Improvements Project, at the rates set forth in said Proposal, with such services not to exceed \$69,000.00 in cost.

RESOLUTION 21-422

WHEREAS, the Township of Piscataway requires Professional Engineering Services for the Patton Avenue Roadway Improvements from Brentwood Drive to Elwood Street (the "Project"); and

WHEREAS, Alaimo Group, Mt. Holly, NJ, has submitted a proposal, dated October 4, 2021, for Professional Engineering Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$98,000.00; and

WHEREAS, Alaimo Group, Mt. Holly, NJ, 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, pursuant to a Memorandum from the Township Supervisor of Engineering, dated November 30, 2021, said Supervisor of Engineering recommends awarding a contract for the Project to Alaimo Group; and

WHEREAS, there is funding available pursuant to certification # R-2021-0117;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Alaimo Group, Mt. Holly, NJ, to provide Professional Engineering Services for the Patton Avenue Roadway Improvements from Brentwood Drive to Elwood Street, at the rates set forth in said Proposal, with such services not to exceed \$98,000.00 in cost.

RESOLUTION 21-423

WHEREAS, the Township of Piscataway requires Professional Engineering Services for the 2022 Sidewalk Improvements (Various Locations) (the "Project"); and

WHEREAS, Grotto Engineering Associates, LLC, Cranford, NJ, has submitted a proposal, dated October 29, 2021, for Professional Engineering Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$356,799.89 and

WHEREAS, Grotto Engineering Associates, LLC, Cranford, NJ, 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, pursuant to a Memorandum from the Township Supervisor of Engineering, dated November 30, 2021, said Supervisor of Engineering recommends awarding a contract for the Project to Grotto Engineering Associates, LLC; and

WHEREAS, there is funding available pursuant to certification # R-2021-0118;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Grotto Engineering Associates, LLC, Cranford, NJ, to provide Professional Engineering Services for the 2022 Sidewalk Improvements (Various Locations), at the rates set forth in said Proposal, with such services not to exceed \$356,799.89 in cost.

RESOLUTION 21-424

WHEREAS, the Township Council of the Township of Piscataway desires to notify the public of its regularly scheduled meetings for the year 2022; and

WHEREAS, the Administrative Code of the Township of Piscataway provides that the Township Council of the Township of Piscataway must hold at least one (1) regular meeting every month; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the regular meetings of the Township Council shall be held in accordance with the attached schedule incorporated herein and made a part hereof; and

BE IT FURTHER RESOLVED that the attached schedule of meetings be published in THE COURIER NEWS and THE STAR-LEDGER.

Township of Piscataway
Township Council Meeting Dates
2022

<p><u>JANUARY</u> 1 at 1 pm 25</p>	<p>Reorganization</p>	<p><u>JULY</u> 12</p>
<p><u>FEBRUARY</u> 15</p>		<p><u>AUGUST</u> 9</p>
<p><u>MARCH</u> 2</p>		<p><u>SEPTEMBER</u> 13</p>
<p><u>APRIL</u> 12</p>		<p><u>OCTOBER</u> 6</p>
<p><u>MAY</u> 3</p>		<p><u>NOVEMBER</u> 10 22 29</p>
<p><u>JUNE</u> 9 28</p>		<p><u>DECEMBER</u> 6 13</p>

RESOLUTION 21-425

WHEREAS, the Piscataway Township Public Library (the “Library”) has a need for automation services; and

WHEREAS, pursuant to a memorandum from the Township Library Director dated December 1, 2021, a copy of which is attached hereto and made a part hereof, the Library desires to enter into an agreement for automation services with LMxAC – Libraries of Middlesex Automation Consortium (“LMxAC”), Edison, NJ, a not-for profit organization; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00 (“Determination of Value”); and

WHEREAS, N.J.S.A. 40A:11-5(1)(q) of the Local Public Contracts Law specifically exempts “Library and educational goods and services” from the public bidding provisions of the Local Public Contracts Law; and

WHEREAS, the Administration has recommended that the Township Council of the Township of Piscataway authorize proper officials to enter into an agreement with LMxAC for the automation services for the Library for a fee not to exceed \$104,000.00 per year for the two (2) years from January 1, 2022 to December 31, 2022 and January 1, 2023 to December 31, 2023, for a total not to exceed \$208,000.00; and

WHEREAS, funds are available pursuant to certification # R-2021-0130;

WHEREAS, the Township Council of the Township of Piscataway is of the opinion that such agreement is in all respects in the public interest; and

WHEREAS, LMxAC has completed and submitted a Business Entity Disclosure Certification which certifies that LMxAC has not made any reportable contributions to a political or candidate committee in the Township of Piscataway in the previous one year, and that the contract will prohibit LMxAC from making any reportable contributions through the term of the contract; 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 an agreement with LMxAC as described above for a fee not to exceed \$104,000.00 for each of the two (2) years from January 1, 2022 to December 31, 2022 and January 1, 2023 to December 31, 2023, for a total not to exceed \$208,000.00; and

BE IT FURTHER RESOLVED that the Agreement is awarded without competitive bidding as “Library and educational goods and services” under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(q); and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution.

RESOLUTION 21-426

WHEREAS, the Piscataway Township Public Library (the “Library”) has a need for books and non-print materials; and

WHEREAS, pursuant to a memorandum from the Township Library Director dated December 1, 2021, a copy of which is attached hereto and made a part hereof, the Library desires to enter into a two (2) year agreement for books and non-print materials for calendar years 2022 and 2023 with Baker & Taylor for an amount not to exceed \$125,000.00 annually, for a total not to exceed \$250,000.00; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00 (“Determination of Value”); and

WHEREAS, N.J.S.A. 40A:11-5(1)(q) of the Local Public Contracts Law specifically exempts “Library and educational goods and services” from the public bidding provisions of the Local Public Contracts Law; and

WHEREAS, the Administration has recommended that the Township Council of the Township of Piscataway authorize proper officials to enter into an agreement for books and non-print materials for calendar years 2022 and 2023 with Baker & Taylor for an amount not to exceed \$125,000.00 annually, for a total not to exceed \$250,000.00; and

WHEREAS, funds are available pursuant to certification #R-2021-0121;

WHEREAS, the Township Council of the Township of Piscataway is of the opinion that such agreement is in all respects in the public interest; and

WHEREAS, Baker & Taylor has completed and submitted a Business Entity Disclosure Certification which certifies that Baker & Taylor has not made any reportable contributions to a political or candidate committee in the Township of Piscataway in the previous one year, and that the contract will prohibit Baker & Taylor from making any reportable contributions through the term of the contract; 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 an agreement with Baker & Taylor as described above for a fee not to exceed \$125,000.00 annually for the two (2) years from January 1, 2022 to December 31, 2022 and January 1, 2023 to December 31, 2023, for a total not to exceed \$250,000.00; and

BE IT FURTHER RESOLVED that the Agreement is awarded without competitive bidding as “Library and educational goods and services” under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(q); and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution.

RESOLUTION 21-427

WHEREAS, the Piscataway Township Public Library (the “Library”) has a need for books and non-print materials; and

WHEREAS, pursuant to a memorandum from the Township Library Director dated December 1, 2021, a copy of which is attached hereto and made a part hereof, the Library desires to enter into a two (2) year agreement for books and non-print materials for calendar years 2022 and 2023 with Midwest Tape for an amount not to exceed \$20,000.00 annually, for a total amount not to exceed \$40,000.00; and

WHEREAS, the Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00 (“Determination of Value”); and

WHEREAS, N.J.S.A. 40A:11-5(1)(q) of the Local Public Contracts Law specifically exempts “Library and educational goods and services” from the public bidding provisions of the Local Public Contracts Law; and

WHEREAS, the Administration has recommended that the Township Council of the Township of Piscataway authorize proper officials to enter into an agreement for books and

non-print materials for calendar years 2022 and 2023 with Midwest Tape for an amount not to exceed \$20,000.00 annually, for a total not to exceed \$40,000.00; and

WHEREAS, funds are available pursuant to certification #R-2021-0122;

WHEREAS, the Township Council of the Township of Piscataway is of the opinion that such agreement is in all respects in the public interest; and

WHEREAS, Midwest Tape has completed and submitted a Business Entity Disclosure Certification which certifies that Midwest Tape has not made any reportable contributions to a political or candidate committee in the Township of Piscataway in the previous one year, and that the contract will prohibit Midwest Tape from making any reportable contributions through the term of the contract; 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 an agreement with Midwest Tape as described above for a fee not to exceed \$20,000.00 annually for the two (2) years from January 1, 2022 to December 31, 2022 and January 1, 2023 to December 31, 2023, for a total not to exceed \$40,000.00; and

BE IT FURTHER RESOLVED that the Agreement is awarded without competitive bidding as “Library and educational goods and services” under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(q); and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution.

RESOLUTION 21-428

WHEREAS, the Piscataway Township Public Library (the “Library”) has a need for non-print materials; and

WHEREAS, pursuant to a memorandum from the Township Library Director dated December 1, 2021, a copy of which is attached hereto and made a part hereof, the Library desires to enter into a two (2) year agreement for non-print materials for calendar years 2022 and 2023 with Over Drive, Cleveland, OH for an amount not to exceed \$30,000.00 annually, for a total not to exceed \$60,000.00; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00 (“Determination of Value”); and

WHEREAS, N.J.S.A. 40A:11-5(1)(q) of the Local Public Contracts Law specifically exempts “Library and educational goods and services” from the public bidding provisions of the Local Public Contracts Law; and

WHEREAS, the Administration has recommended that the Township Council of the Township of Piscataway authorize proper officials to enter into an agreement for non-print materials for calendar years 2022 and 2023 with Over Drive for an amount not to exceed \$30,000.00 annually, for a total not to exceed \$60,000.00; and

WHEREAS, funds are available pursuant to certification #R-2021-0123;

WHEREAS, the Township Council of the Township of Piscataway is of the opinion that such agreement is in all respects in the public interest; and

WHEREAS, Over Drive has completed and submitted a Business Entity Disclosure Certification which certifies that Over Drive has not made any reportable contributions to a political or candidate committee in the Township of Piscataway in the previous one year, and that the contract will prohibit Over Drive from making any reportable contributions through the term of the contract; 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 an agreement with Over Drive as described above for a fee not to exceed \$30,000.00 annually for the two (2) years from January 1, 2022 to December 31, 2022 and January 1, 2023 to December 31, 2023, for a total not to exceed \$60,000.00; and

BE IT FURTHER RESOLVED that the Agreement is awarded without competitive bidding as “Library and educational goods and services” under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(q); and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value be placed on file with this resolution.

RESOLUTION 21-429

WHEREAS, the Administration has recommended the renewal of a contract for MOD IV Online Services & Mailing Annual Notice of Assessment for the Township of Piscataway with MicroSystems-NJ.com, LLC; and

WHEREAS, MicroSystems-NJ.com, LLC has agreed to perform such services for the period of January 1, 2022, to December 31, 2022, in an amount not to exceed \$16,128.78, pursuant to a contract proposal dated December 4, 2021; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(dd), a contract for the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software may be awarded without public advertising of bids and bidding; and

WHEREAS, funds are available pursuant to certification # R-2021-0120;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Mayor and other appropriate officials be and the same are hereby authorized to enter into an agreement for MOD IV Online Services & Mailing Annual Notice of Assessment for the period of January 1, 2022 to December 31, 2022, with MicroSystems-NJ.com, LLC for a sum not to exceed \$16,128.78.

RESOLUTION 21-430

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies; and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting law enforcement agency; and

WHEREAS, participation in the 1033 Program allows municipal and county law enforcement agencies to obtain weapons, equipment and vehicles they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county law enforcement agencies, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Piscataway Township Police Department is hereby authorized to enroll in the 1033 Program for a one-year period from January 1, 2022 to December 31, 2022 and to acquire property through the 1033 Program; and

BE IT FURTHER RESOLVED that the Piscataway Township Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the Piscataway Township Police Department, if it shall become available in the next twelve months, based on the needs of the Piscataway Township Police Department, without restriction; and

BE IT FURTHER RESOLVED that the Piscataway Township Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the next twelve months, including but not limited to weapons, equipment, vehicles, and M16/M4 - MRAP/HMMWV; and

BE IT FURTHER RESOLVED that the "DEMIL B through Q" controlled 3-page prop list in its entirety is hereby approved and hereto attached to this resolution; and

BE IT FURTHER RESOLVED that the Piscataway Township Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Piscataway Township Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this Resolution shall be valid to authorize requests to acquire “DEMIL A” property that may be made available through the 1033 Program from January 1, 2022 until December 31, 2022 and requests to acquire “DEMIL B through Q” property that may be made available through the 1033 Program from January 1, 2022 until December 31, 2022.

RESOLUTION 21-431

WHEREAS, the Township of Piscataway (the “Township”) requires Professional Appraisal Services for Inspection & Data Collection in regard to the 2023 Reassessment (Inspections conducted in 2022) (the “Project”); and

WHEREAS, the Township Tax Assessor recommends awarding a contract for the Project to Professional Property Appraisers, Inc., Cinnaminson, NJ for the period of January 1, 2022 through December 31, 2022, with a cost not to exceed \$104,677.00; and

WHEREAS, Professional Property Appraisers, Inc. was previously qualified under the Fair and Open Process to provide professional services for Appraisal Services – Various Projects by the Township of Piscataway for 2021; and

WHEREAS, there is funding available pursuant to certification # R-2018--0120;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Professional Property Appraisers, Inc., Cinnaminson, NJ to provide Professional Inspection & Data Collection Services in regard to the 2023 Reassessment to be completed in 2022, in the amount not to exceed \$104,677.00, for the period from January 1, 2022 through December 31, 2022.

RESOLUTION 21-432

WHEREAS, the Township of Piscataway requires Professional Appraisal Services in regard to Inspections and Data Collection for Special Class 4, Class 1, and Class 15 properties (the "Project"); and

WHEREAS, the Township wishes to enter into a contract with Sterling DiSanto & Associates, Somerville, NJ in regard to Inspection and Data Collection for Special Class 4, Class 1 and Class 15 Properties, for the period of January 1, 2022 through December 31, 2022 ("Contract"), with a cost not to exceed \$16,375.00 per year; 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-2021-0119;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Sterling DiSanto & Associates to provide Professional Services in regard to Inspections and Data Collection for Special Class 4, Class 1, and Class 15 properties, at the rates set forth in the contract, with such services not to exceed \$16,375.00 in cost for the period of January 1, 2022 through December 31, 2022.

RESOLUTION 21-433

WHEREAS, the Township of Piscataway (the “Township”) wishes to approve wreckers for CY 2022 and CY 2023 rotating wrecker services list; and

WHEREAS, the Township received six (6) fully completed applications for a light duty license and two (2) fully completed applications for a heavy duty license; and

WHEREAS, pursuant to a Memorandum from the Chief of Police, dated December 14, 2021, which is attached hereto and made a part hereof, said Chief of Police recommends that the following light duty wreckers be approved for the 2022 and 2023 rotating wrecker services list:

1. Majestic Towing
2. Guaranteed Motor Towing Service, Inc.
3. Mike’s Towing & Recovery
4. Central Jersey Garage
5. Piscataway Auto & Truck
6. Ted’s Towing

WHEREAS, pursuant to the above referenced Memorandum, the Chief of Police recommends that the following heavy duty wreckers be approved for the 2022 and 2023 rotating wrecker services list:

1. Guaranteed Motor Towing Service, Inc.
2. Mike’s Towing & Recovery

WHEREAS, Dave’s Heavy Towing and Somerset Hills Towing submitted incomplete applications and, after the Police Department and the Township Attorneys reviewed same and requested additional documentation, said applications remain incomplete; and

WHEREAS, due to said applications being incomplete, which will be kept on file, Dave’s Heavy Towing and Somerset Hills Towing shall be placed on the Township waitlist and their towing wrecker application fees shall be returned subject to resubmission when an opening occurs on the Township’s wrecker list; and

WHEREAS, approval as either a light duty or heavy duty wrecker for 2022 and 2023 does not waive a company’s current violations of the Piscataway Township Code, pursuant to Pisc. Code §4-12.16, said violations and warnings received in the prior approval period of CY 2020 and CY 2021 shall remain intact and shall be counted towards a suspension and possible license revocation for this approval period; 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 approve the following six (6) light duty wrecker applications and two (2) heavy duty wrecker applications for the 2022 and 2023 rotating wrecker services list, subject to receipt of application fees, and issue any necessary documentation regarding same:

LIGHT DUTY

1. Majestic Towing
2. Guaranteed Motor Towing Service, Inc.
3. Mike’s Towing & Recovery
4. Central Jersey Garage
5. Piscataway Auto & Truck
6. Ted’s Towing

HEAVY DUTY

1. Guaranteed Motor Towing Service, Inc.
2. Mike’s Towing & Recovery

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to return the towing wrecker application fees to Dave’s Heavy Towing and Somerset Hills Towing and place said companies on the Township waitlist, subject to an opening on the Township’s wrecker list.

RESOLUTION 21-434

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

Budget Code	Appropriation Description	Classification	From	To
01- 2021- 0200- 0100- 1	ADMINISTRATION	SALARIES AND WAGES	10,000.00	

01- 2021- 0200- 0165- 1	ENGINEERING	SALARIES AND WAGES	10,000.00	
01- 2021- 0200- 0175- 2	P.C.T.V.	OTHER EXPENSES		50,000.00
01- 2021- 0200- 0190- 2	BOARDS & COMMISSIONS	OTHER EXPENSES	25,000.00	
01- 2021- 0210- 0321- 2	ZONING ENFORCEMENT: PROPERTY MAINTENANCE	OTHER EXPENSES	25,000.00	
01- 2021- 0220- 0196- 1	HOUSING CERTIFICATE OF OCCUPANCY	SALARIES AND WAGES	25,000.00	
01- 2021- 0250- 0240- 1	POLICE DEPARTMENT	SALARIES AND WAGES	50,000.00	
01- 2021- 0250- 0242- 1	POLICE ADMIN.	SALARIES AND WAGES	25,000.00	
01- 2021- 0260- 0270- 1	TRAFFIC/PROPERTY MAINTENANCE	SALARIES AND WAGES	30,000.00	
01- 2021- 0260- 0290- 1	STREETS & ROADS	SALARIES AND WAGES	50,000.00	
01- 2021- 0260- 0310- 2	BUILDING & GROUNDS	OTHER EXPENSES	25,000.00	
01- 2021- 0270- 0340- 1	ANIMAL CONTROL	SALARIES AND WAGES	5,000.00	
01- 2021- 0280- 0370- 1	RECREATION	SALARIES AND WAGES	50,000.00	
01- 2021- 0280- 0370- 2	RECREATION	OTHER EXPENSES	50,000.00	
01- 2021- 0300- 0415- 2	SEVERANCE LIABILITY	OTHER EXPENSES		300,000.00
01- 2021- 0310- 0440- 2	UTILITIES	OTHER EXPENSES		60,000.00
01- 2021- 0360- 0472- 2	SOCIAL SECURITY	OTHER EXPENSES	30,000.00	
01- 2021- 7500- 7999- 2	RES: UNCOLLECTED TAX	OTHER EXPENSES		
TOTAL			410,000.00	410,000.00

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that the following transfers are hereby authorized.

RESOLUTION 21-435

WHEREAS, NJSA 40A: 4-19 provides for the adoption of a temporary budget which is designed to meet the needs of municipal operations for the first 90 days of a new fiscal year; and

WHEREAS, NJSA 40A: 4-19 provides that a maximum of 26.25% of the previous year's appropriations exclusive of Public Assistance, Debt Service, and the Capital Improvement Fund may be adopted within the temporary budget; and

WHEREAS, 26.25% of the total appropriations for CY 2021 budget, exclusive of any appropriations made for Public Assistance, Debt Service and the Capital Improvement Fund in said budget are **\$16,483,012.23** for Current Fund; **\$3,136,891.41** for Sewer Utility Operating Fund; **\$333,932.81** for Senior Housing Utility Operating Fund; and **\$709,773.23** for Recreation Utility Operating Fund.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, in the County of Middlesex, that the following appropriations in total detailed by the attached documentation, be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his records: Current Fund- **\$29,200,998.23**; Sewer Utility Operating Fund - **\$3,369,035.16**; and Senior Housing Utility Operating Fund - **\$496,682.81**; and Recreation Utility Fund, **\$709,773.23**, shall constitute the Temporary Budget for Calendar Year 2022.

RESOLUTION 21-436

WHEREAS, the Township of Piscataway requires Professional Engineering Services for the Old New Brunswick Road Improvements – Phase II – from Kellogg Drive to Route 287 Overpass Bridge (the "Project"); and

WHEREAS, T&M Associates, Middletown, NJ, has submitted a proposal, dated October 15, 2021, for Professional Engineering Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$222,356.00; and

WHEREAS, T&M Associates, Middletown, NJ, 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, pursuant to a Memorandum from the Township Supervisor of Engineering, dated December 1, 2021, said Supervisor of Engineering recommends awarding a contract for the Project to T&M Associates; and

WHEREAS, there is funding available pursuant to certification # R-2021-0125;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize T&M Associates, Middletown, NJ, to provide Professional Engineering Services for the Old New Brunswick Road Improvements – Phase II – from Kellogg Drive to Route 287 Overpass Bridge, at the rates set forth in said Proposal, with such services not to exceed \$222,356.00 in cost.

RESOLUTION 21-437

WHEREAS, the Township of Piscataway requires Professional Engineering Services for the Elwood Street Improvements (the "Project"); and

WHEREAS, Alaimo Group, Mt. Holly, NJ, has submitted a proposal, dated October 4, 2021, for Professional Engineering Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$98,000.00; and

WHEREAS, Alaimo Group, Mt. Holly, NJ, 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, pursuant to a Memorandum from the Township Supervisor of Engineering, dated December 1, 2021, said Supervisor of Engineering recommends awarding a contract for the Project to Alaimo Group; and

WHEREAS, there is funding available pursuant to certification # R-2021-0126;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Alaimo Group, Mt. Holly, NJ, to provide Professional Engineering Services for the Elwood Street Improvements, at the rates set forth in said Proposal, with such services not to exceed \$98,000.00 in cost.

RESOLUTION 21-438

WHEREAS, the Township of Piscataway requires Professional Engineering Services for the Normandy Drive Improvements (the "Project"); and

WHEREAS, Remington & Vernick Engineers, Old Bridge, NJ, has submitted a proposal, dated October 6, 2021, for Professional Engineering Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$294,000.00; and

WHEREAS, Remington & Vernick Engineers, Old Bridge, NJ, 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, pursuant to a Memorandum from the Township Supervisor of Engineering, dated December 1, 2021, said Supervisor of Engineering recommends awarding a contract for the Project to Remington & Vernick Engineers; and

WHEREAS, there is funding available pursuant to certification # R-2021-0127;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Remington & Vernick Engineers, Old Bridge, NJ, to provide Professional Engineering Services for the Normandy Drive Improvements, at the rates set forth in said Proposal, with such services not to exceed \$294,000.00 in cost.

RESOLUTION 21-439

WHEREAS, the Township of Piscataway requires Professional Engineering Services for the Dunbar Avenue Improvements Project (the "Project"); and

WHEREAS, CME Associates, Parlin, NJ, has submitted a proposal, dated October 8, 2021, for Professional Engineering Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$241,833.00; and

WHEREAS, CME Associates, Parlin, NJ, 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, pursuant to a Memorandum from the Township Supervisor of Engineering, dated December 1, 2021, said Supervisor of Engineering recommends awarding the contract for the Project to CME Associates; and

WHEREAS, there is funding available pursuant to certification # R-2021-0128;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize CME Associates, Parlin, NJ, to provide Professional Engineering Services for the Dunbar Avenue Improvements Project, at the rates set forth in said Proposal, with such services not to exceed \$241,833.00 in cost.

RESOLUTION 21-440

WHEREAS, the Township of Piscataway (the "Township") requires Design, Bidding, and Limited Construction Management Services for the Sterling Village Fire Alarm System Upgrades (the "Project"); and

WHEREAS, T&M Associates, Red Bank, NJ, has submitted a proposal, dated December 3, 2021, for Professional Construction Management Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$27,600.00; and

WHEREAS, T&M Associates was previously qualified under the Fair and Open Process to provide professional services for Construction Management Services – Construction Management Services by the Township of Piscataway for 2021; and

WHEREAS, there is funding available pursuant to certification # R-2021-0129;

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 to T&M Associates, Red Bank, NJ, to provide Design, Bidding, and Limited Construction Management Services in regard to the Sterling Village Fire Alarm System Upgrades, at the rates set forth in said Proposal, with such services not to exceed \$27,600.00 in cost.

RESOLUTION 21-441

WHEREAS, pursuant to a Resolution, dated September 1, 2020, the Township of Piscataway (the "Township") awarded a contract to Central Jersey Wrecking & Recycling, Inc., North Brunswick, NJ for the emergency demolition of a residential structure at 595 Highland Avenue, Piscataway, NJ (the "Project"), under N.J.S.A. 40A:11-6, which allows the Township to award emergency contracts where it affects public health, safety or welfare; and

WHEREAS, upon commencement of the Project, Central Jersey Wrecking & Recycling, Inc. discovered an unforeseen well on the property that, pursuant to NJ DEP regulations, had to be abandoned and sealed prior to demolition; and

WHEREAS, the Township Business Administrator recommends that the emergency contract with Central Jersey Wrecking & Recycling, Inc., North Brunswick, NJ be amended from \$24,800.00 to an amount not to exceed \$30,066.00, an increase of \$5,266.00; and

WHEREAS, funds are available pursuant to certification # R-2020-0097-A;

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 emergency contract with Central Jersey Wrecking & Recycling, Inc., North Brunswick, NJ, in regard to the emergency demolition of the property located at 595 Highland Avenue, Piscataway, NJ in the amount not to exceed \$30,066.00, a \$5,266.00 increase from the original emergency contract, subject to all contract documents.

RESOLUTION 21-442

WHEREAS, the Township Council of the Piscataway has been advised that the township has incurred costs associated with abatement of a public nuisance on certain properties as follow:

Block	Lot	Location	Amount
11302	4	595 Highland Av	\$30,066.00

THEREFORE, BE IT RESOLVED by the township council of the Township of Piscataway, that municipal officials be and are hereby authorized to take the necessary steps to impose municipal liens, as indicated above, for the costs of remedial action to abate a public nuisance on certain.

RESOLUTION 21-443

WHEREAS, Mendham Associates LLC, Metuchen, NJ has completed their project on Block 811 (Old Block 98), Lot 20.01 (179 11th Street); and

WHEREAS, pursuant to a Request for Release of Funds dated November 8, 2021 and a Memorandum from the Township Supervisor of Engineering dated December 2, 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 \$463.69 be returned to Mendham Associates LLC; and

WHEREAS, Rockefeller Group Development Corporation, New York, NY has completed their project on Block 3502, Lots 1.05, 6.04 & 6.05 (171 River Road); and

WHEREAS, pursuant to a Request for Release of Funds dated November 23, 2021 and a Memorandum from the Township Supervisor of Engineering dated December 2, 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 \$23,809.79 be returned to Rockefeller Group Development Corporation; 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 Mendham Associates LLC, Metuchen, NJ, in the amount of \$463.69, regarding Block 811 (Old Block 98), Lot 20.01 (179 11th 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 Rockefeller Group Development Corporation, New York, NY, in the amount of \$23,809.79, regarding Block 3502, Lots 1.05, 6.04 & 6.05 (171 River Road).

RESOLUTION 21-444

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

BLOCK	LOT	NAME	YEAR	AMOUNT	REASON
1935	10.01	STEPHEN L & ARSYNTHIA	2021	\$336.60	100% DISABLED VET
1907	20.01	CORELOGIC	2021	\$1,008.56	100% DISABLED VET
11206	7	CORELOGIC	2021	\$1,703.19	Paid by Bank & Title Company
Total				\$3,048.35	

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 21-445

WHEREAS, Lynn Finch requests the return of a Security Deposit in the amount of \$551.00 posted with the Township of Piscataway for Apartment 252 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$551.07 (including accrued interest), less \$17.77 in outstanding charges owed to the Township of Piscataway, for a total amount to be released of \$533.30; 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 \$533.30 to Lynn Finch and in the amount of \$17.77 to the Township of Piscataway for outstanding charges, in regard to Apartment 252 at Sterling Village.

RESOLUTION 21-446

WHEREAS, On February 16, 2021, Catherine Riss, an employee of the Township of Piscataway at 555 Sidney Road found \$150.00 in cash in the parking lot; and

WHEREAS, on March 19, 2021 the Township Police Department took custody of the cash as found property and, as per Police Department policy, the cash was deposited into Township accounts for safe keeping; and

WHEREAS, pursuant to correspondence from the Township Chief of Police dated December 8, 2021, the Chief of Police authorizes release of the funds as no one has claimed the cash, the required six (6) month retention period has been exceeded and there is no Township policy that would forbid Ms. Riss from claiming the cash; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, County of Middlesex and State of New Jersey, that appropriate municipal officials be and are hereby authorized to release the funds, in the amount of \$150.00, to Catherine Riss.

RESOLUTION 21-447

WHEREAS, the Township of Piscataway (the "Township") wishes to enter into a Conservation Management Agreement regarding Block 6003, Lots 8.02 & 11 on the Piscataway Township Tax Map commonly known as Ambrose & Doty's Soccer Fields (the "Agreement") with the County of Middlesex (the "County"); and

WHEREAS, the Township Attorney has reviewed the Agreement, a copy of which is attached hereto as Exhibit A and made a part hereof, and recommends execution of same; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township Council formally approves the Agreement, in substantially the form attached hereto, subject to such final changes as may be approved by the Mayor upon advice of the Township Attorney; and

BE IT FURTHER RESOLVED that the appropriate municipal officials and the Business Administrator are hereby authorized to execute the Agreement on behalf of the Township of Piscataway.

RESOLUTION 21-448

WHEREAS, Huatian Investment LLC, Piscataway, NJ, requests the release of a Cash Bond in the original amount of \$108,612.00, posted with the Township of Piscataway on December 6, 2017, for improvements on Block 4302, Lot 11.01 (251 Circle Drive North); and

WHEREAS, pursuant to a Request for Release of Funds dated November 23, 2021 and a letter from the Township Supervisor of Engineering dated November 23, 2021, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that no maintenance bond is required, all improvements required and covered have been satisfactorily installed, and recommends the release of the Cash Bond; and

WHEREAS, on April 4, 2013 and March 22, 2013, Muslim Center of Middlesex County, Piscataway, NJ posted a Performance Surety Bond in the amount of \$292,406.76 and a Cash Bond in the amount of \$32,489.60, respectively, regarding Zoning Board Application #08-ZB-50/51V for Block 12201, Lot 9.04 (1000 Hoes Lane); and

WHEREAS, pursuant to Resolution # 15-346, the Township released 70% of the Performance Surety and Cash bonds, retaining a Performance Surety Bond in the amount of \$87,722.03 and Cash Bond in the amount of \$9,746.89; and

WHEREAS, pursuant to a Request for Release of Funds dated November 30, 2021 and a Memorandum from the Township Supervisor of Engineering dated December 7, 2021, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that all improvements required and covered have been satisfactorily installed, and recommends the release of the remainder of the Performance Surety and Cash Bonds; and

WHEREAS, on June 19, 2020, Duke Realty Limited Partnership, Chicago, IL posted a Performance Surety Bond in the amount of \$1,777,317.50 and a Cash Bond in the amount of \$197,479.72, regarding Planning Board Application #19-PB-39/42 for Block 4501, Lot 1.02 (150

Old New Brunswick); and

WHEREAS, pursuant to a Request for Release of Funds dated December 3, 2021 and a Memorandum from the Township Supervisor of Engineering dated December 6, 2021, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that all improvements required and covered have been satisfactorily installed; and

WHEREAS, the Township Supervisor of Engineering has further advised that the release of the Performance Surety and Cash Bonds be conditioned upon Duke Realty Limited Partnership posting an Off-Site Improvements Bond in the amount of \$178,332.05, an On-Site Perimeter Buffer Landscaping Bond in the amount of \$68,517.60 and an On-Site Stormwater Management System Bond in the amount of \$120,231.38, all to run for a period of two (2) years; 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 Cash Bond in the amount of \$109,844.82 (including accrued interest), to Huatian Investment LLC, Piscataway, NJ, for improvements on Block 4302, Lot 11.01 (251 Circle Drive North); and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release the Performance Surety Bond in the amount of \$87,722.03 and the Cash Bond in the amount of \$9,894.35, to Muslim Center of Middlesex County, Piscataway, NJ, regarding Zoning Board Application #08-ZB-50/51V; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release the Performance Surety Bond in the amount of \$1,777,317.50 and the Cash Bond in the amount of \$197,479.72, to Duke Realty Limited Partnership, Chicago, IL, upon Duke Realty Limited Partnership posting an Off-Site Improvements Bond in the amount of \$178,332.05, an On-Site Perimeter Buffer Landscaping Bond in the amount of \$68,517.60 and an On-Site Stormwater Management System Bond in the amount of \$120,231.38, all to run for a period of two (2) years, regarding Planning Board Application #19-PB-39/42.

RESOLUTION 21-449

WHEREAS, Saeed Tamsell, on behalf of United Realty USA LLC, Edison, NJ, requests the release of an On-Site Improvement Bond in the original amount of \$10,000.00, which was posted with the Township of Piscataway on August 20, 2021, for Permit #2020-1254, regarding improvements for Block 6907, Lot 9 (412 Netherwood Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated December 3, 2021 and a letter from the Township Construction Official dated December 7, 2021, copies of which are attached hereto and made a part hereof, said Construction Official advised that the repairs have been satisfactorily installed, and recommends the release of the On-Site Improvement 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 an On-Site Improvement Bond in the amount of \$10,001.00 (including accrued interest), to United Realty USA LLC, Edison, NJ for Permit #2020-1254, regarding improvements for Block 6907, Lot 9 (412 Netherwood Avenue).

RESOLUTION 21-450

WHEREAS, on November 18, 2021, the Township of Piscataway (the "Township") received eight (8) bids in regard to the 2022 Road Program for Curbs, Sidewalks, Driveway & ADA Ramps (the "Project"); and

WHEREAS, the Township Supervisor of Engineering reviewed the bids and recommends awarding a contract for the Project to Discover Construction, LLC, Dayton, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$2,489,655.51; and

WHEREAS, funds are available pursuant to certification # B-2021-038;

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 2022 Road Program for Curbs, Sidewalks, Driveway & ADA Ramps Project to Discover Construction, LLC, Dayton, NJ, who is the lowest qualifying bidder, in the amount not

to exceed \$2,489,655.51, subject to all bid specifications and contract documents.

RESOLUTION 21-451

WHEREAS, N.J.S.A. 40A:5-17.1 Provides that a municipality may authorize the processing of tax refunds of less than ten dollars(\$10.00) and the cancellation of tax delinquencies of less than ten dollars(\$10.00);

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Piscataway in the County of Middlesex and State of New Jersey hereby authorizes the Tax Collector to cancel tax and sewer tax balances under \$10.00.

RESOLUTION 21-451

WHEREAS, RG-Piscataway Urban Renewal LLC, entered into that certain Purchase and Sale Agreement dated April 19, 2018 (the "Purchase Agreement") with KISS Nail Products, Inc. to sell certain improved real property identified as Block 3502, Lot 6.06 in the Township of Piscataway, Middlesex County, New Jersey, commonly known as 600 Ridge Road (the "Property"); and

WHEREAS, RG-Piscataway Urban Renewal LLC assigned and transferred to Piscataway Building IV Urban Renewal LLC ("Piscataway Building IV URE") all of RG-Piscataway Urban Renewal LLC's right, title and interest in and to the Purchase Agreement and Piscataway Building IV URE agreed, inter-alia, to sell to KISS LOGISTICS URBAN RENEWAL, LLC, a New Jersey limited liability company ("Assignor"), as KISS Nail Products, Inc.'s designee, the Property; and

WHEREAS, the Township and Piscataway Building IV URE entered into that certain Redevelopment Agreement dated August 16, 2018, (the "Redevelopment Agreement"), pursuant to which, among other things, Piscataway Building IV URE agreed to undertake the construction, on the Property, of a project consisting of an approximately 469,600 square foot building and related improvements (the "Improvements") devoted to industrial, warehouse, distribution, and other uses; and

WHEREAS, a Certificate of Completion as provided in the Redevelopment Agreement has been issued by the Township for the Improvements, which Certificate of Completion serves as a determination of satisfaction and termination of the agreements and covenants of the Redevelopment Agreement; and

WHEREAS, the Township and Piscataway Building IV URE entered into that certain Financial Agreement dated August 21, 2018 (the "Financial Agreement"); and

WHEREAS, the Township and Piscataway Building IV URE entered into that certain Special Assessment Agreement dated as of November 5, 2018 (the "Assessment Agreement"); and

WHEREAS, Piscataway Building IV URE and Assignor entered into that certain "Assignment and Assumption of and Consent to Transfer Financial Agreement and Special Assessment Agreement" dated July 12, 2019, which assigned all right, title, and interest of Piscataway Building IV URE in the Financial Agreement and the Assessment Agreement to Assignor; and

WHEREAS, DUKE REALTY RIDGE ROAD URBAN RENEWAL, LLC, a New Jersey limited liability company ("Assignee") was created as an "Urban Renewal Entity" to take title to the Property and enter into a Financial Agreement pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1, *et seq.* ("LTTEL"); and

WHEREAS, the Financial Agreement provides for the transfer of the Property from the Assignor to another eligible urban renewal entity under certain circumstances, and the provisions of this Assignment will satisfy the conditions of transfer set forth in the Financial Agreement; and

WHEREAS, Assignor desires to assign, and Assignee desires to accept such assignment, of the Financial Agreement and Assessment Agreement pursuant to a proposed ASSIGNMENT AND ASSUMPTION OF AND CONSENT TO TRANSFER FINANCIAL AGREEMENT, attached hereto as **Exhibit A** ("Assignment Agreement"); and

WHEREAS, the Township has reviewed the application dated December 3, 2021, which was filed by Kiss Logistics Urban Renewal, LLC with the Municipal Clerk's Office, requesting the Township's consent to the transfer and assignment to Duke Realty Ridge Road

Urban Renewal, LLC (“Assignee”) of the aforementioned Financial Agreement and Assessment Agreement and the Township wishes to consent to same; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township hereby consents to the transfer and assignment to ‘Duke Ridge URE of the aforementioned Financial Agreement and Assessment Agreement, and further authorizes the Mayor to execute the attached Assignment Agreement in substantially similar form, subject to modifications approved by the Township Attorney.

The following are the Disbursements for the month of November 2021

Continued on next page

RESOLUTION 21-453

RESOLUTION offered by Mr. Cahn, second by Mrs. Cahill: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that

WHEREAS, via Boards of Fire Commissioners Resolution Nos. 2021-12, 2021-13, 2021-08 and 2021-11 the Board of Fire Commissioners of Fire District No. 1, No. 2, No. 3 and No. 4, respectively, authorized and approved 2022 annual compensation for the Board of Fire Commissioners; and

WHEREAS, N.J.S.A. 40A:14-88, requires the salaries of members of Board of Commissioners of Fire Districts to be reviewed annually by the governing body; and

WHEREAS, the amount of the compensation is reflective of the time, work and dedication necessary to accommodate the rapid growth and expansion of not only the fire service, but the Township as a whole; and

WHEREAS, the Board of Fire Commissioners for Fire District No. 1 finds and determines that said compensation should be effective January 1, 2022 and that said compensation should be in the amounts of \$9,871.08 for John F. Buchek, \$11,758.08 for Arthur Hayducka, \$11,758.08 for Nick Lombardi, Jr., \$9,371.04 for Greg Santonastaso and \$9,371.04 for Timothy Thorn, for each year served or pro rata for a portion of any year of service; and

WHEREAS, the Board of Fire Commissioners for Fire District No. 2 finds and determines that said compensation should be effective January 1, 2022 and that said compensation should be in the amounts of \$10,200.00 for Darryl Henry, \$10,200.00 for James Mosier, \$10,200.00 for David Hough, \$10,200.00 for Peter Combates and \$10,200.00 for My Do, for each year served or pro rata for a portion of any year of service; and

WHEREAS, the Board of Fire Commissioners for Fire District No. 3 finds and determines that said compensation should be effective January 1, 2022 and that said compensation should be in the amounts of \$5,467.00 for Malcolm Brown, \$5,467.00 for Alan Williams, \$6,800.00 for Robert Kertes, \$6,800.00 for Joseph Decker and \$5,466.00 for Adam Scolnick, for each year served or pro rata for a portion of any year of service; and

WHEREAS, the Board of Fire Commissioners for Fire District No. 4 finds and determines that said compensation should be effective January 1, 2022 and that said compensation should be in the amounts of \$20,000.04 for Craig Aumack, \$8,499.96 for Gary Frank, \$8,499.96 for Brian Kenney, \$8,499.96 for Karen Light and \$8,499.96 for Edward McDermott, for each year served or pro rata for a portion of any year of service; and

WHEREAS, the Township Council has reviewed the proposed annual compensation for the Board of Fire Commissioners for 2022; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township Council hereby approves the 2022 annual compensation for the Board of Fire Commissioners of the Township of Piscataway, Fire District No. 1 in the amounts of \$9,871.08 for John F. Buchek, \$11,758.08 for Arthur Hayducka, \$11,758.08 for Nick Lombardi, Jr., \$9,371.04 for Greg Santonastaso and \$9,371.04 for Timothy Thorn, for each year served or pro rata for a portion of any year of service; and

BE IT FURTHER RESOLVED that the Township Council hereby approves the 2022 annual compensation for the Board of Fire Commissioners of the Township of Piscataway, Fire District No. 2 in the amounts of \$10,200.00 for Darryl Henry, \$10,200.00 for James Mosier, \$10,200.00 for David Hough, \$10,200.00 for Peter Combates and \$10,200.00 for My Do, for each year served or pro rata for a portion of any year of service; and

BE IT FURTHER RESOLVED that the Township Council hereby approves the 2022 annual compensation for the Board of Fire Commissioners of the Township of Piscataway, Fire District No. 3 in the amounts of \$5,467.00 for Malcolm Brown, \$5,467.00 for Alan Williams, \$6,800.00 for Robert Kertes, \$6,800.00 for Joseph Decker and \$5,466.00 for Adam Scolnick, for each year served or pro rata for a portion of any year of service; and

BE IT FURTHER RESOLVED that the Township Council hereby approves the 2022 annual compensation for certain members of the Board of Fire Commissioners of the Township of Piscataway, Fire District No. 4 in the amounts of \$8,499.96 for Gary Frank, \$8,499.96 for Brian Kenney, \$8,499.96 for Karen Light and \$8,499.96 for Edward McDermott, for each year served or pro rata for a portion of any year of service; and

BE IT FURTHER RESOLVED that the Township Council hereby withholds approval of 2022 annual compensation in the amount of \$20,000.04 for Craig Aumack as a member of the Board of Fire Commissioners of the Township of Piscataway, Fire District No. 4, subject to further inquiry to determine whether the duties or responsibilities of Mr. Aumack warrants such a disproportionately large salary.

On roll call vote: Messrs. Bullard, Cahill, Cahn, Uhrin, and Shah answered yes. Mrs. Lombardi abstained.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Council members and Mayor wished everyone Happy Holidays.

Several council members spoke on Agenda Item 8.

The Council considered the matters on the Agenda for January 1, 2022 Reorganization Meeting

- **MAYOR'S APPOINTMENTS:**
 - Civil Rights Advisory Commission.
 - Green Initiatives Committee.
 - Historic Preservation Advisory Commission.
 - Municipal Alliance Substance Abuse Task Force.
 - Planning Board.
 - Presiding Municipal Court Judge.
- **APPOINTMENTS:**
 - Appointment of Deputy Municipal Clerk.
 - Appointment of Deputy and Alternate Deputy Registrars.
 - Appointments to Board of Ethics.
 - Appointments to Cultural Arts Advisory Commission.
 - Appointments to Health Advisory Commission.
 - Appointments to Housing & Community Development Advisory Committee.
 - Appointments to Library Board of Trustees.
 - Appointment of Certified Animal Control Officer & Animal Cruelty Investigator.
 - Appointments to Property Maintenance Board of Appeals.
 - Appointments to Public Relations Advisory Commission.
 - Appointments to Recreation Advisory Commission.
 - Appointments to Rent Leveling Board.
 - Appointments to Senior Citizens Advisory Commission.
 - Appointments to Senior Citizens Housing Board of Trustees.
 - Appointments to Zoning Board of Adjustment.
 - Appointment of Supervising Prosecutor.
 - Appointment of Township Prosecutors.
 - Appointment of Public Agency Compliance Officer.
 - Appointment of Municipal Court Judge.
 - Appointment of Public Defenders.
 - Appointment of Municipal Court Administrator.
 - Appointment of Deputy Municipal Court Administrator.
 - Appointment of OEM Coordinator.
 - Appointment of Special Police Officers.
 - Appointment of Police Matrons.
 - Appointment of Treasurer.
 - Acceptance of Qualifications and Rates and Appointments of Township Professionals for 2022.
 - Appointment of Recycling Coordinator and Authorization to Apply for 2021 Recycling Tonnage Grant.
 - Appointment of Clean Communities Coordinator and Authorization to Apply for Clean Communities Grant.
 - Designation of Certifying Official for Municipal Lien Searches.
 - Designation of Subdivision Search Officer.

- Designation of Agent of Township for Filing Applications with State D.E. P. for Flood Hazard Area Permit Authorizations.
- Designation of Agent of Township for Filing Applications with Freehold Soil Conservation District (FSCD).
- Designation of Agent of Township for Filing Applications with State D.E.P. for Extension of Sanitary Sewers.
- Designation of Official Township Depositories.
- Approval of Cash Management Plan for 2022.
- Designation of Official Newspapers.
- Designation of Newspapers to Receive Notice of Meetings.
- Designation of Signatures for Signing of Checks.
- Designation of Interest Charges for Delinquent Taxes, Sewer Service Charges, and Assessments.
- Authorizing Advertising 2022 Master Bid List.
- APPOINTMENT OF COUNCIL COMMITTEES:
 - Public Safety
 - Public Works
 - Finance
 - Personnel

OPEN TO PUBLIC:

Pratik Patel, 29 Redbud Rd

Charlie Kratovil

Matthew Knoblauch, 8th St

Brian Rak, 1247 Brookside Rd

John Costello, 280 River Rd

Jessica Kratovil, 1247 Brookside Rd

Staci Berger, 233 Ellis Parkway

Evan Shegoski, 280 River Rd

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 10:15pm. Motion by Mrs. Cahill and carried unanimously.

Respectfully submitted,

Monica Orlando, Deputy Township Clerk

Accepted:

Kapil Shah
Council President