

October 6, 2022

A Regular Meeting of the Piscataway Township Council was held on October 6, 2022 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by Council President, Michele Lombardi, at 7:30 pm.

Council President Lombardi 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, login, 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 a remote 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 raise your hand. This can be done either through the zoom app or by pressing \*9 (star nine) on your phone. When it is your turn to speak, you will receive a prompt or request to unmute, please click on the prompt or press \*6 (star 6) on your phone to unmute.

Upon being unmuted, you should begin to ask any and all 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 phone line or logged in user account, we ask that if you wish to speak, that you login in or dial in separately 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. Cahill, Cahn, Shah, Uhrin, & Lombardi.

Ms. Lombardi led the salute to the flag.

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

Ms. Lombardi opened the meeting to the Public for comments regarding the Consent Agenda Items.

Jessica Kratovil, 1247 Brookside Rd, asked for clarification on item N.

Business Administrator Tim Dacey, Steve Cahn, & Gabrielle Cahill responded to Jessica.

Pratik Patel, 29 Redbud Rd, asked for clarification on item M.

Business Administrator Tim Dacey responded to Pratik.

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 OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A FINANCIAL  
AGREEMENT BY AND BETWEEN THE TOWNSHIP AND IPT KINGSBRIDGE

BUSINESS CENTER URBAN RENEWAL, LLC, PURSUANT TO THE LONG-TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended from time to time (the “Redevelopment Law”), authorizes municipalities to determine whether parcels of land in a municipality constitute areas in need of redevelopment, and to adopt redevelopment plans therefor; and

WHEREAS, by Resolution #21-381, adopted on November 4, 2021, the Township designated certain property within the Township and designated as Block 6702, Lot 6.02 on the Township’s tax maps and commonly known as 40 Kingsbridge Road (the “Project Site”) as an “area in need of redevelopment” pursuant to the Redevelopment Law; and

WHEREAS, by Ordinance #2021-42, adopted on December 14, 2021, the Township adopted a redevelopment plan (the “Redevelopment Plan”), which contains development standards for the Project Site; and

WHEREAS, IPT Kingsbridge Business Center Urban Renewal, LLC (the “Entity”) owns the Project Site; and

WHEREAS, on March 2, 2022, the Township Council adopted Resolution #22-109, designating the Entity as “redeveloper” (as such term is defined in and used in the Redevelopment Law) of the Project Site and authorizing the execution of a redevelopment agreement; and

WHEREAS, the Township and the Redeveloper executed a redevelopment agreement, dated April 25, 2022 (the “Redevelopment Agreement”), pursuant to which the Entity agreed to redevelop the Project Site by constructing thereon an approximately 100,883 square foot industrial warehouse distribution center and/or light manufacturing facility, including ancillary offices and related on-site and off-site improvements (the “Project”); and

WHEREAS, in order to enhance the economic viability of and opportunity for a successful project, the Entity submitted to the Mayor of the Township (the “Mayor”) an application (the “Application”), which is on file with the Township Clerk, seeking tax exemption in connection with the Project pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 *et seq.* (the “Long Term Tax Exemption Law”), in exchange for which the Entity proposes to make payments to the Township in lieu of taxes; and

WHEREAS, the Entity also submitted to the Mayor a form of financial agreement (the “Financial Agreement”), a copy of which is attached as Exhibit 19 to the Application, establishing the rights, responsibilities and obligations of the Entity; and

WHEREAS, the Mayor submitted the Application and Financial Agreement to the Township Council with his recommendation for approval, a copy of which recommendation is on file with the Township Clerk; and

WHEREAS, the Township Council has determined that the Project represents an undertaking permitted by the Long-Term Tax Exemption Law; and

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that the aforementioned recitals are incorporated herein as though fully set forth at length; and

BE IT FURTHER ORDAINED that the Application and Financial Agreement are hereby approved and the Mayor is hereby authorized to execute said Financial Agreement in substantially the form attached as Exhibit 19 to the Application, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel; and

BE IT FURTHER ORDAINED that the Clerk of the Township is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document; and

BE IT FURTHER ORDAINED that this ordinance shall take effect in accordance with applicable law and if any part(s) shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Ms. Lombardi opened the Meeting to the Public for Comments.

Pratik Patel, 29 Redbud Rd, asked for elaboration on the Long-Term Tax Exemption law Township Attorney Rajvir Goomer responded to Pratik.

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

RESOLUTION offered by Mr. Cahn seconded by Mr. Shah, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT BY AND BETWEEN THE TOWNSHIP AND IPT KINGSBRIDGE BUSINESS CENTER URBAN RENEWAL, LLC, PURSUANT TO THE LONG-TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ. was introduced on the 13<sup>th</sup> day of September, 2022 and had passed the first reading and was published on the 16<sup>th</sup> day of September, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on October 6, 2022, 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. 2022-19.

On roll call vote: Messrs. Cahill, Cahn, Rouse, Shah, Uhrin & Lombardi answered yes.

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT HANDICAP RAMPS ON THE OLD NEW BRUNSWICK ROAD FRONTAGE OF BLOCK 2402, LOT 31.01, BLOCK 2201, LOTS 23.01 & 24 AND BLOCK 2201, LOT 23.02 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, AS PERMITTED UNDER N.J.S.A. 40:65-1.

RESOLUTION offered by Mr. Uhrin seconded by Mr. Cahn, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT HANDICAP RAMPS ON THE OLD NEW BRUNSWICK ROAD FRONTAGE OF BLOCK 2402, LOT 31.01, BLOCK 2201, LOTS 23.01 & 24 AND BLOCK 2201, LOT 23.02 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, AS PERMITTED UNDER N.J.S.A. 40:65-1. be and is hereby adopted on the first reading, that it be published in the official newspaper, and that a second reading and public hearing be held at 7:30 p.m., prevailing time at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey as well as by remote meeting format on the 10th day of November, 2022.

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

On roll call vote: Messrs. Cahill, Cahn, Rouse, Shah, Uhrin, & Lombardi answered yes.

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT MULTI-USE PATH ON THE ETHEL ROAD FRONTAGE OF BLOCK 8901, LOTS 1.05, 4.01 & 10.01 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, AS PERMITTED UNDER N.J.S.A. 40:65-1

RESOLUTION offered by Ms. Cahill seconded by Mr. Rouse, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey that AN ORDINANCE ENTITLED: ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT MULTI-USE PATH ON THE ETHEL ROAD FRONTAGE OF BLOCK 8901, LOTS 1.05, 4.01 & 10.01 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, AS PERMITTED UNDER N.J.S.A. 40:65-1. be and is hereby adopted on the first reading, that it be published in the official newspaper, and that a second reading and public hearing be held at 7:30 p.m., prevailing time at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey as well as by remote meeting format on the 10th day of November, 2022.

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

On roll call vote: Messrs. Cahill, Cahn, Rouse, Shah, Uhrin, & Lombardi answered yes.

RESOLUTION #22-303

RESOLUTION offered by Mr. Shah, seconded by Ms. Cahill:

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

WHEREAS, each of the following Resolutions, Motions or Proclamations to be presented before the Township Council at its October 6, 2022 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Contract Amendment #4 – Centennial Avenue Road Improvements – T & M Associates – Not to Exceed \$5,100.00.
- b. RESOLUTION – Authorizing Return of Replacement Irrevocable Standby Letter of Credit – Block 4501, Lot 1.02 – 150 Old New Brunswick Road - 19-PB-39/42.
- c. RESOLUTION – Authorizing Return of Off-Site Improvements, Engineering & Inspection Fees and Safety & Stabilization Guarantee Cash Bonds:
  - Block 6501, Lot 12 – 90 Hancock Road – 19-PB-33.
- d. RESOLUTION – Authorizing Return of Engineering & Inspection Fees:
  - Block 6501, Lot 12 – 90 Hancock Road – 19-PB-33.
  - Block 2102, Lot 14.01 – 10 Emma Place.
  - Block 5901, Lot 3.03 – 10 Constitution Avenue – 19-PB-17/18/22V.
  - Block 5802, Lot 13.01 – 2 Corporate Place South – 17-PB-31.
- e. RESOLUTION – Authorizing Return of Sterling Village Security Deposits – Apt.138, 209 & 309.
- f. RESOLUTION – Authorizing Tax Appeal Settlement – Brown, HH & Shea, CT – Block 4801, Lot 3.02 – 1055 Centennial Avenue.
- g. RESOLUTION – Authorizing Return of Escrow:
  - Block 603, Lot 62 – 1862 W. 7<sup>th</sup> Street.
- h. RESOLUTION – Authorizing Refunds of Overpayment – Police Dept.
- i. RESOLUTION – Authorizing Change Order #1 – 2022 Winterberry Circle Reconstruction – Stilo Excavating, Inc. – Not to Exceed \$17,700.65.
- j. RESOLUTION – Authorizing Chapter 159 – Body Armor Grant 25521 - \$3,550.30.
- k. RESOLUTION – Authorizing Cancellation of Taxes for 100% Tax Exempt and 100% Disabled Veteran.
- l. RESOLUTION – Authorizing Return of Soil Erosion/Sediment Control Bond:
  - Block 2805, Lot 11 – 167 Middlesex Avenue.
- m. RESOLUTION – Authorizing Contract Amendment #1 – Consultant to Assist Tax Assessor Annual Reassessment – Charles Heck – Not to Exceed \$3,600.00.
- n. RESOLUTION – Authorizing Award of Contract Through Somerset County Coop – Roadway Traffic Striping – Denville Line Painting, Inc – Not to Exceed \$90,000.00.
- o. RESOLUTION – Authorizing Refunds of Overpayment – Building Permit Fee.
- p. RESOLUTION – Authorizing Contract Amendment No. 1 – Levgar Street Road Improvements – T & M Associates – Not to Exceed \$18,350.00.
- q. RESOLUTION – Authorizing Change Order #1 – 2022 Street Tree Replacement and Miscellaneous Plantings – JCS Inc. d/b/a Natural Green Lawn Care – Not to Exceed \$18,808.68.
- r. RESOLUTION – Referring 444 Hoes Lane to the Planning Board to Determine an Area in Need of Redevelopment and Awarding Professional Planning Services Contract – Area in Need of Redevelopment Study & Redevelopment Plan – Block 7401, Lot 2 and Block 6201, Lot 6.02 – 444 Hoes Lane CME Associates – Not to Exceed \$19,000.00.
- s. RESOLUTION – Authorizing Change Order No. 1 – Phase V Sanitary Sewer Rehab Project – Mott MacDonald – Not to Exceed \$37,800.00.
- t. RESOLUTION – Amending Appointment Resolution for Judge Katty Wong-Taylor.
- u. MOTION – Accept Report of the Clerk's Account for September 2022.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that each of the above-listed Resolutions, Motions or Proclamations be approved and adopted by the Township Council, with the same legal effect as through each was read in its entirety at the October 6, 2022 Regular meeting and adopted by separate vote.

On roll call vote: Messrs. Cahill, Cahn, Rouse, Shah, Uhrin, & Lombardi voted yes.

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

RESOLUTION #22-304

WHEREAS, T&M Associates, Middletown, NJ was awarded a contract for Professional Services in regard to the Centennial Avenue Road Improvements from River Road to Knightsbridge Road (the "Project"); and

WHEREAS, additional work is required for the Project that was not included in the original scope of work outlined by the Township of Piscataway and not anticipated in T&M Associates' proposal to the Township for said Project; and

WHEREAS, N.J.A.C. 5:30-11.6 authorizes the Township to approve change orders for professional services for a project; and

WHEREAS, the Business Administrator has reviewed the Contract Amendment Request No. 4 from T&M Associates, dated September 12, 2022, a copy of which is attached hereto and made a part hereof, and recommends approval of same; and

WHEREAS, there is funding available pursuant to certification # R-2016-047-4;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount with T&M Associates, from \$517,414.00 to \$522,514.00, an increase of not to exceed \$5,100.00, due to unanticipated work required for the Centennial Avenue Road Improvements from River Road to Knightsbridge Road, subject to all bid specifications and contract documents.

RESOLUTION #22-305

WHEREAS, on October 22, 2019, Duke Realty Limited Partnership, Indianapolis, IN posted an Irrevocable Standby Letter of Credit with the Township of Piscataway (the "Township") in the amount of \$68,942.88, regarding Planning Board Application #19-PB-39/42 for Block 4501, Lot 1.02 (150 Old New Brunswick Road); and

WHEREAS, pursuant to a Request for Release of Funds dated September 8, 2022 and a Memorandum from the Township Supervisor of Engineering dated September 8, 2022, 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

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 the Irrevocable Standby Letter of Credit, in the amount of \$68,942.88, to Duke Realty Limited Partnership, Indianapolis, IN.

RESOLUTION #22-306

WHEREAS, Island Home Builders LLC, Jackson, NJ, requests the release of an Off-Site Improvements Bond and a Safety & Stabilization Guarantee, in the original amounts of \$75,186.00 and \$5,807.96, respectively, both posted with the Township of Piscataway on April 1, 2022, for improvements on Block 6501, Lot 12 (90 Hancock Road), regarding Planning Board Application #19-PB-33; and

WHEREAS, pursuant to a Request for Release of Funds dated August 19, 2022 and a letter from the Township Supervisor of Engineering dated August 19, 2022, 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 Off-Site Improvements Bond and the Safety & Stabilization Guarantee to Island Home Builders LLC; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release an Off-Site Improvements Bond in the amount of \$75,186.00 and a Safety & Stabilization Guarantee in the amount of \$5,807.96, to Island Home Builders

LLC, Jackson, NJ, for improvements on Block 6501, Lot 12 (90 Hancock Road) regarding Planning Board Application #19-PB-33.

RESOLUTION #22-307

WHEREAS, Tunison Home Improvement, Inc., Dunellen, NJ has completed their project on Block 2102, Lot 14.01 (10 Emma Place); and

WHEREAS, pursuant to a Request for Release of Funds dated March 25, 2022 and a Memorandum from the Township Supervisor of Engineering dated September 1, 2022, 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 \$88.52, be returned to Tunison Home Improvement, Inc., Dunellen, NJ; and

WHEREAS, Tyde Properties, LLC, Edison, NJ has completed their project on Block 5901, Lot 3.03 (10 Constitution Avenue) regarding Planning Board Application #19-PB-17/18/22V; and

WHEREAS, pursuant to a Request for Release of Funds dated August 19, 2022 and a Memorandum from the Township Supervisor of Engineering dated September 1, 2022, 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 \$13,034.86, be returned to Tyde Properties, LLC, Edison, NJ; and

WHEREAS, 2 Corporate Place South, LLC, Chatham, NJ has completed their project on Block 5802, Lot 13.01 (2 Corporate Place South) regarding Planning Board Application #17-PB-31; and

WHEREAS, pursuant to a Request for Release of Funds dated June 7, 2022 and a Memorandum from the Township Supervisor of Engineering dated September 1, 2022, 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 \$48,413.04, be returned to 2 Corporate Place South, LLC, Chatham, NJ; and

WHEREAS, Island Home Builders LLC, Jackson, NJ has completed their project on Block 6501, Lot 12 (90 Hancock Road) regarding Planning Board Application #19-PB-33; and

WHEREAS, pursuant to a Request for Release of Funds dated August 19, 2022 and a Memorandum from the Township Supervisor of Engineering dated September 7, 2022, 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 \$6,619.57, be returned to Island Home Builders LLC, Jackson, NJ; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to return unexpended engineering and inspection fee funds, in the amount of \$88.52, to Tunison Home Improvement, Inc., Dunellen, NJ, regarding Block 2102, Lot 14.01 (10 Emma Place); and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to return unexpended engineering and inspection fee funds, in the amount of \$13,034.86, to Tyde Properties, LLC, Edison, NJ, regarding Block 5901, Lot 3.03 (10 Constitution Avenue) regarding Planning Board Application #19-PB-17/18/22V; and

BE IT FURTHER RESOLVED the appropriate municipal officials be and are hereby authorized to return unexpended engineering and inspection fee funds, in the amount of \$48,413.04, to 2 Corporate Place South, LLC, Chatham, NJ, regarding Block 5802, Lot 13.01 (2 Corporate Place South) regarding Planning Board Application #17-PB-31; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to return unexpended engineering and inspection fee funds, in the amount of \$6,619.57, to Island Home Builders LLC, Jackson, NJ, regarding Block 6501, Lot 12 (90 Hancock Road) regarding Planning Board Application #19-PB-33.

RESOLUTION #22-308

WHEREAS, the Township of Piscataway (the "Township") is in possession of a Security Deposit being held on behalf of Delores Speed, in the amount of \$903.47,

posted with the Township for Apartment 309 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$903.47, to Delores Speed; and

WHEREAS, the Township is in possession of a Security Deposit being held on behalf of Eileen Galleiley, in the amount of \$1181, posted with the Township for Apartment 209 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$1181.00, less \$354.30 in outstanding rent owed to the Township, for a total amount to be released of \$828.93; and

WHEREAS, the Township is in possession of a Security Deposit being held on behalf of Tyrone Winston, in the amount of \$866.11, posted with the Township for Apartment 138 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$866.11, less \$216.60 in outstanding rent owed to the Township, for a total amount to be released of \$665.65; 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 \$903.47 (including accrued interest) to Delores Speed in regard to Apartment 309 at Sterling Village; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release said Security Deposit in the amount of \$828.93 to Eileen Galleiley and in the amount of \$354.30 to the Township of Piscataway for outstanding rent, in regard to Apartment 209 at Sterling Village; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release said Security Deposit in the amount of \$665.65 to Tyrone Winston and in the amount of \$216.60 to the Township of Piscataway for outstanding rent, in regard to Apartment 138 at Sterling Village.

RESOLUTION #22-309

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:

Brown, HH & Shea, CT

Block 4801, Lot 3.02  
1055 Centennial Ave

|              | <u>2018</u><br><u>Assessment</u> | <u>2018 Proposed</u><br><u>Assessment</u> | <u>2019</u><br><u>Assessment</u> | <u>2019 Proposed</u><br><u>Assessment</u> |
|--------------|----------------------------------|---|----------------------------------|---|
| Land         | 2,492,000                        |   | 2,492,000                        |   |
| Improvements | <u>6,058,000</u>                 | <u>WITHDRAW</u>                           | <u>38,000</u>                    | <u>WITHDRAW</u>                           |
| Total        | 8,550,000                        |   | 8,430,000                        |   |

|              | <u>2020</u><br><u>Assessment</u> | <u>2020 Proposed</u><br><u>Assessment</u> | <u>2021</u><br><u>Assessment</u> | <u>2021 Proposed</u><br><u>Assessment</u> |
|--------------|----------------------------------|---|----------------------------------|---|
| Land         | 2,492,000                        |   | 2,492,000                        |   |
| Improvements | <u>6,358,000</u>                 | <u>WITHDRAW</u>                           | <u>108,000</u>                   | <u>WITHDRAW</u>                           |
| Total        | 8,850,000                        |   | 9,500,000                        |   |

|              | <u>2022</u><br><u>Assessment</u> | <u>2022 Proposed</u><br><u>Assessment</u> |
|--------------|----------------------------------|---|
| Land         | 3,738,000                        | 3,738,000                                 |
| Improvements | <u>6,442,000</u>                 | <u>5,567,000</u>                          |
| Total        | 10,180,000                       | 9,305,000                                 |

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 #22-310

WHEREAS, on February 9, 2021, Eric Zambelli, Piscataway, NJ, posted an escrow check with the Township of Piscataway, in the amount of \$3,500.00, regarding Block 603, Lot 62 (1862 W 7<sup>th</sup> Street); and

WHEREAS, pursuant to a Request for Release of Funds dated September 12, 2022 and a Memorandum from the Township Supervisor of Planning dated September 13, 2022, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$1,380.60 to Eric Zambelli, Piscataway, NJ; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Eric Zambelli, Piscataway, NJ in the amount of \$1,380.60 for Block 603, Lot 62 (1862 W 7<sup>th</sup> Street).

RESOLUTION #22-311

WHEREAS, on September 8, 2022, Emma Prophil paid twenty dollars (\$20.00) online in error as it pertains to a Gun Permit, which payment should have only been for nine dollars (\$9.00); and

WHEREAS, on September 23, 2022, Robert Gregg paid twenty-one dollars (\$21.00) online in error as it pertains to a Gun Permit, which payment should have only been four dollars (\$4.00); 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 refund the overpayment for said Gun Permit Fee, in the amount of eleven dollars (\$11.00) to Emma Prophil; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to refund the overpayment for said Gun Permit Fee, in the amount of seventeen dollars (\$17.00) to Robert Gregg.

RESOLUTION #22-312

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Stilo Excavating, Inc., South Plainfield, NJ for the 2022 Winterberry Circle Reconstruction Project (the "Project"), in the amount not to exceed \$442,534.90; and

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

WHEREAS, there was no prior increase or decrease to this Project; and

WHEREAS, this change order would represent a \$17,700.65 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$460,235.55, a 4.0% increase; and

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

WHEREAS, pursuant to a request from the Township Director of Public Works, dated September 13, 2022, said Director of Public Works recommends approving Change Order No. 1; and

WHEREAS, funds are available pursuant to certification # B-2022-012-01;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the 2022 Winterberry Circle Reconstruction Project from \$442,534.90 to a final total not to exceed \$460,235.55, and execute a Change Order in the amount of \$17,700.65, subject to all bid specifications and contract documents.

RESOLUTION #22-313

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

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

WHEREAS, the Township of Piscataway has received notice of an award of \$3,550.30 from the State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice and wishes to amend its Calendar Year 2022 Budget to include this amount as revenue, and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Piscataway in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year Calendar Year 2022:

*Amount Received for*

Body Armor Grant 25521 \$3,550.30

BE IT FURTHER RESOLVED that the like sum of \$3,550.30 is hereby appropriated under the caption of:

Body Armor Grant 25521 \$3,550.30

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

RESOLUTION #22-314

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

| BLOCK | LOT    | NAME                   | YEAR | AMOUNT      | REASON           |
|-------|--------|------------------------|------|-------------|------------------|
| 3802  | 116.01 | TOWNSHIP OF PISCATAWAY | 2022 | \$1,972.71  | 100% TAX EXEMPT  |
| 3802  | 116.01 | TOWNSHIP OF PISCATAWAY | 2023 | \$2,677.63  | 100% TAX EXEMPT  |
| 8404  | 4      | MARVIN LILES           | 2022 | \$ 3,504.64 | 100% DISABLE VET |
| 8404  | 4      | MARVIN LILES           | 2023 | \$ 5,765.30 | 100% DISABLE VET |

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

RESOLUTION #22-315

WHEREAS, Mahomet Accilien, Piscataway, NJ, requests the return of a Soil Erosion/Sediment Control Bond in the amount of \$1,000.00, posted on June 27, 2022, with the Township of Piscataway (the "Township") for improvements for Block 2805, Lot 11 (167 Middlesex Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated September 20, 2022 and a Memorandum from the Township Supervisor of Engineering dated September 20, 2022, copies of which are attached hereto and made a part hereof, the Supervisor of Engineering advised that the necessary improvements required and covered have been satisfactorily installed, and therefore recommended the return of said Soil Erosion/Sediment Control Bond to Mahomet Accilien; 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 said Soil Erosion/Sediment Control Bond in the amount of \$1,000.00 to Mahomet Accilien, Piscataway, NJ, regarding Block 2805, Lot 11 (167 Middlesex Avenue).

RESOLUTION #22-316

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to Charles Heck, Middletown, NJ as the Consultant to Assist Tax Assessor Annual Reassessment (the "Project"), in the amount not to exceed \$18,496.00; and

WHEREAS, additional work was necessary for the Project that was not included in the original scope of work outlined by the Township and not anticipated in the proposal from Charles Heck to the Township for the Project; and

WHEREAS, there was no prior increase or decrease to this Project; and

WHEREAS, this change order would represent a \$3,600.00 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$22,096.00, a 19.45% increase; and

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

WHEREAS, pursuant to a request from the Township Tax Assessor, dated September 28, 2022, said Tax Assessor recommends approving Change Order No. 1; and

WHEREAS, funds are available pursuant to certification # R-2020-0100-C;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the Consultant to Assist Tax Assessor Annual Reassessment Project from \$18,496.00 to a final total not to exceed \$22,096.00, and execute a Change Order in the amount of \$3,600.00, subject to all bid specifications and contract documents.

RESOLUTION #22-317

WHEREAS, the Township Director of Public Works has advised that the Township is in need of Roadway Traffic Striping (the "Project"); and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, said Director of Public Works recommends awarding a contract for the Project through Somerset County Cooperative Pricing System CC-0042-22, to Denville Line Painting, Inc, Rockaway, NJ in the amount not to exceed \$90,000.00; and

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

WHEREAS, funds are available pursuant to certification # R-2022-0064;

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 Roadway Traffic Stripping through Somerset County Cooperative Pricing System CC-0042-22 to Denville Line Painting, Inc., Rockaway, NJ, in the amount not to exceed \$90,000.00, subject to all bid specifications and contract documents.

RESOLUTION #22-318

WHEREAS, on September 20, 2022, Lititia Lumzy, Piscataway, NJ made a payment in the amount of four hundred seventy dollars (\$470.00) for a Building, Plumbing, Electrical and Fire Permit as it pertains to Block 808, Lot 11 (71 10<sup>th</sup> Street), which payment should have only been four hundred forty-seven dollars (\$447.00); and

WHEREAS, on September 29, 2022, Hussain A. Aziz, Somerville, NJ made payments in the amount of seventy-eight dollars (\$78.00) and seventy-six dollars (\$76.00) regarding a Water Heater Replacement Permit as it pertains to Block 1201, Lot 2.03 (11 Karen Court), which payment was to be a one-time expense of seventy-six dollars (\$76.00); 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 refund said payment for the Building, Plumbing, Electrical and Fire Permit Fee for Block 808, Lot 11 (71 10<sup>th</sup> Street) in the amount of four hundred seventy dollars (\$470.00) to Lititia Lumzy; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to refund said additional payment for the Water Heater Replacement Permit for Block 1201, Lot 2.03 (11 Karen Court) in the amount of seventy-eight dollars (\$78.00) to Hussain A. Aziz.

RESOLUTION #22-319

WHEREAS, T&M Associates, Middletown, NJ ("T&M") was awarded a contract for Engineering Services in regard to the Levgar Street Road Improvement Project (the "Project"); and

WHEREAS, additional work is required for the Project that was not included in the original scope of work outlined by the Township of Piscataway and not anticipated in T&M's proposal to the Township for said Project; and

WHEREAS, N.J.A.C. 5:30-11.6 authorizes the Township to approve change orders for professional services for a project; and

WHEREAS, the Township Supervisor of Engineering has reviewed the Contract Amendment Request No. 1, dated September 14, 2022, a copy of which is attached hereto and made a part hereof, and recommends approval of same; and

WHEREAS, there is funding available pursuant to certification # R-2020-0126-01;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount with T&M Associates from \$250,400.00 to \$268,750.00, an increase of not to exceed \$18,350.00, due to unanticipated work required for the Levgar Street Road Improvement Project, subject to all bid specifications and contract documents.

#### RESOLUTION #22-320

WHEREAS, the Township of Piscataway (the "Township") awarded a contract to JCW Inc. dba Natural Green Lawn Care, Bridgewater, NJ for 2022 – Street Tree Replacements and Miscellaneous Plantings (the "Project"), in the amount not to exceed \$99,226.96; and

WHEREAS, additional site work was necessary for the Project that was not included in the original scope of work outlined by the Township and not anticipated in the proposal from JCW Inc. dba Natural Green Lawn Care to the Township for the Project; and

WHEREAS, there was no prior increase or decrease to this Project; and

WHEREAS, this change order would represent an \$18,808.68 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$118,035.64, an 18.96% increase; and

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

WHEREAS, pursuant to a request from the Landscape Architect, dated September 30, 2022, said Landscape Architect recommends approving Change Order No. 1; and

WHEREAS, funds are available pursuant to certification # R-2022-0046-01;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the 2022 – Street Tree Replacements and Miscellaneous Plantings from \$99,226.96 to a final total not to exceed \$118,035.64, and execute a Change Order in the amount of \$18,808.68, subject to all bid specifications and contract documents.

#### RESOLUTION #22-321

WHEREAS, the Township of Piscataway (the "Township") contains property located on Block 7401, Lots 2.02 & 2.03 and Block 6201, Lot 6.02 (444 Hoes Lane) on the Township Tax Map (the "Property"); and

WHEREAS, the Township Council wishes to request the Planning Board to perform an investigation to determine whether the Property is a Non-Condemnation Area in Need of Redevelopment ("NC-AINR"); and

WHEREAS, the Township Planning Board (the "Board") believes it necessary to obtain the assistance of a professional planner to help said Planning Board investigate whether the subject area is a NC-AINR; and

WHEREAS, the Board wishes to retain CME Associates to perform an investigation to determine whether the Property meets the criteria to be declared a NC-AINR set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, if the Property meets the criteria to be a declared a NC-AINR, the Board wishes CME Associates to prepare a Redevelopment Plan; and

WHEREAS, CME Associates submitted a proposal to the Township regarding the above investigation and a preparation of a Redevelopment Plan, if necessary, in the amount not to exceed \$19,000.00; and

WHEREAS, CME Associates, Parlin, NJ, was previously qualified under the Fair and Open Process to provide professional services for the Township of Piscataway for 2022; and

WHEREAS, there is funding available pursuant to certification # R-2022-0065;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby requests the Planning Board to perform an investigation to determine if the Property meets the criteria to be declared a Non-Condensation Area in Need of Redevelopment set forth in N.J.S.A. 40A:12A-5; and

BE IT FURTHER RESOLVED that the Township Council does hereby authorize CME Associates to perform the aforementioned investigation on behalf of the Township of Piscataway Planning Board of the above referenced Property in order to determine whether the Property meets the criteria to be declared a NC-AINR set forth in N.J.S.A. 40A:12A-5 and prepare a Redevelopment Plan if the Property meets said criteria, for an amount not to exceed \$19,000.00.

RESOLUTION #22-322

WHEREAS, Mott MacDonald, South Iselin, NJ was awarded a contract for Professional Services in regard to the Phase V Sanitary Sewer Rehab Project (the "Project"), in the amount not to exceed \$245,900.00; and

WHEREAS, additional work is required for the Project that was not included in the original scope of work outlined by the Township and not anticipated in the proposal from Mott MacDonald to the Township for the Project; and

WHEREAS, N.J.A.C. 5:30-11.6 authorizes the Township to approve change orders for professional services for a project; and

WHEREAS, Township Director of Public Works has reviewed the Change Order No. 1, dated October 3, 2022, a copy of which is attached hereto and made a part hereof, and recommends approval of same; and

WHEREAS, funds are available pursuant to certification # R-2020-00080-01;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount with Mott MacDonald, from \$245,900.00 to a final total not to exceed \$283,700.00, an increase of not to exceed \$37,800.00, due to unanticipated work for the Phase V Sanitary Sewer Rehab Project, subject to all bid specifications and contract documents.

RESOLUTION #22-323

WHEREAS, the Piscataway Township Municipal Court is in need of a municipal judge to serve for a term of three (3) years; and

WHEREAS, Mayor Brian C. Wahler has indicated his intention to appoint Katty Wong-Taylor, Esq., as a judge of the Piscataway Municipal Court for the three (3) year term commencing September 13, 2022 and expiring on September 12, 2025, subject to the advice and consent of the Piscataway Township Council;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that it hereby renders its advice and consent to the appointment of Katty Wong-Taylor, Esq. as a Judge of the Piscataway Township Municipal Court.

RESOLUTION #22-324

WHEREAS, Kenrick Fortune applied with the Township of Piscataway for a Solicitors License for 2022; and

WHEREAS, pursuant to a letter from the Piscataway Township Police Department, dated September 22, 2022, a copy of which is attached hereto and made a part hereof, the Piscataway Township Police Department recommends granting a Solicitors License to Kenrick Fortune; 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 issue a Solicitors License for 2022 to Kenrick Fortune.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Gabrielle Cahill reminded residents to keep storm drains clear from leaves. She also encouraged residents to attend the 5k run hosted by Holmes Marshall Fire House at the

YMCA on October 15<sup>th</sup>. Lastly, she acknowledged that October is Breast Cancer Awareness Month.

Steve Cahn also encouraged residents to attend the 5k run.

Kapil Shah spoke about the Indian New Year, which is from October 24<sup>th</sup> to the 26<sup>th</sup>. He wished a Happy Diwali & New Year to all residents. He also reminded residents that there is a booster vaccination clinic at the YMCA on November 1<sup>st</sup>.

Business Administrator Tim Dacey reminded residents that on October 9<sup>th</sup>, the New Brunswick Chamber Orchestra will be playing at East Jersey Old Town Village. He also reminded residents that registration for fall events at the YMCA will start October 12<sup>th</sup>. Lastly, he mentioned that the YMCA is expanding their child watch program to seven days a week.

Council President Lombardi acknowledged Piscataway's Jewish community & Yom Kippur. She also acknowledged that October is Italian Heritage month & Hispanic Heritage month. Lastly, she encouraged residents to attend the 5k run on October 15<sup>th</sup>.

The Council considered the matters on the Agenda for November 10, 2022:

- ORDINANCE – SECOND READING – Construction of Local Improvement Handicap Ramps on Old New Brunswick Road Frontage of Block 2402, Lot 31.01, Block 2201, Lots 23.01 & 24 and Block 2201, Lot 23.02 – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Construction of Local Improvement Multi-Use Path on Ethel Road Frontage of Block 8901, Lots 1.05, 4.01 & 10.01 – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- PROCLAMATION – Lung Cancer Awareness Month.

OPEN TO PUBLIC:

Pratik Patel, 29 Redbud Rd, thanked the township for the road work on Rt. 18. He also asked about paid job opportunities for high school students. Lastly, he asked if gardens could be added to the parks in Piscataway.

Council President Lombardi, Business Administrator Tim Dacey, & Steve Cahn responded to Pratik.

Jessica Kratovil, 1247 Brookside Rd, expressed her concerns with rumbling strips. She also asked about traffic calming in Piscataway. Lastly, she asked for clarification on where Shoprite was planning to move.

Council President Lombardi, Business Administrator Tim Dacey & Steve Cahn responded to Jessica.

Brian Rak, 1247 Brookside Rd, asked for further clarification on where Shoprite was planning to move.

Steve Cahn responded to Brian.

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

There being no further business to come before the council, the meeting was adjourned at 8:17 pm. Motion by Mr. Shah, seconded by Mr. Rouse, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

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Michele Lombardi  
Council President