

June 27, 2023

A Regular Meeting of the Piscataway Township Council was held on June 8, 2023 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by Council President, Frank Uhrin, at 7:30 pm.

Council President Uhrin 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.

In order to ensure a clear record of the meeting can be made and that all parties are heard in an organized fashion, all members of the public that are participating remotely will be muted during the meeting. The Township will provide for public comment periods for both remote and in person attendees separately.

If a member of the public wishes to speak during any public comment portion for remote attendees, 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 and begin making your comments.

All members of the public will have three minutes to speak, and should ask any and all questions they may have during that period. At the conclusion of your three minutes, remote attendees will be muted again. In-person attendees will also receive three minutes to ask any and all questions, and may then take a seat, at which time 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.

On roll call, there were present: Messrs. Espinosa, Lombardi, Rouse, Shah and Uhrin.

Mr. Uhrin led the salute to the flag.

Mr. Uhrin opened the meeting to the remote attendees for comments regarding the Consent Agenda Items.

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

Mr. Uhrin opened the meeting to the in person attendees for comments regarding the Consent Agenda Items.

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

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 CHAPTER X (10), HEALTH REGULATIONS, TO ADD SECTION 10-13, PORTABLE TOILETS, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS, the Mayor and Township Council of the Township of Piscataway, Middlesex County, finds it in the best interest of the public to add Chapter X, Property Maintenance Code, Section 10-13, Portable Toilets to 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, Chapter X, Health Regulations, of the Revised General Ordinances of the Township of Piscataway are hereby amended to add Section 10-13, Portable Toilets, as follows:

CHAPTER X
HEALTH REGULATIONS

SECTION 10-13 PORTABLE TOILETS

10-13.1 Length of Use Restricted.

A portable toilet shall be allowed only for temporary use. Portable toilet must be removed upon expiration of the event or the construction permit. No portable toilet shall remain on private property for a period great than six (6) months, unless approved by the appropriate municipal official.

10-13.2 Permitted Uses.

Portable toilets are permitted for such purposes as construction operations, festivals and fairs, and other similar purposes where other toilet facilities are not available and the need for toilet facilities exists.

A. No person shall leave a temporary portable toilet on or along any municipal roadway or municipal property unless expressly authorized by the Construction Official. The temporary portable toilet shall be wholly confined to the property where the construction or repair work or event is occurring.

B. All portable toilets are required to comply with the following setbacks:

- (1) Minimum front or rear setback of 10 feet.
- (2) Minimum side yard setback of 10 feet.
- (3) Minimum setback of 20 feet from any public or private roadway.
- (4) Minimum setback from any commercial food service operation of 100 feet.

10-13.3 Design Requirement.

Portable toilets shall have watertight, completely closed tanks for storage of waste, shall be flyproof, shall be adequately vented and shall be provided with cleanable seats and hand sanitizer.

10-13.4 Nuisances.

No person shall maintain a portable toilet which creates a nuisance as a result of overflow, lack of absorption, or faulty design or construction. All portable toilets shall be maintained in a clean and sanitary condition at all times.

10-13.5 Enforcement.

The provisions of this chapter may be enforced by the Construction Official, Code Enforcement Officer, Zoning Officer and/or Health Officer of the Township of Piscataway, or any of their respective designees.

10-13.6 Violations and Penalties.

Where no other penalty is provided by law, any person who violates any provision of this chapter shall, upon conviction, be liable to the penalty stated in Chapter 1, Section 1-5.

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. Uhrin opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Mr. Uhrin opened the Meeting to the In-Person Attendees for Comments

There being no comments, the public portion was closed.

RESOLUTION offered by Mr. Rouse seconded by Mr. Espinosa, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER X (10), HEALTH REGULATIONS, TO ADD SECTION 10-13, PORTABLE TOILETS, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

was introduced on the 8th day of June, 2023 and had passed the first reading and was published on the 13th day of June, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on June 27, 2023, 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. 2023-16.

On roll call vote Messrs. Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE APPROVING A REDEVELOPMENT PLAN FOR BLOCK 5301 LOT 14.04

WHEREAS, the Township of Piscataway has previously determined that the property commonly known as 1551 South Washington Avenue, and designated on the Tax Map of the Township as Block 5301, Lot 14.04 (the "Property") is a non-condemnation area in need of redevelopment, in accordance with the criteria set forth in N.J.S.A. 40A:12A-5 by the adoption of Resolution #22-248; and

WHEREAS, a redevelopment project can only proceed if a redevelopment plan is adopted by Ordinance of the Municipal Governing Body; and

WHEREAS, prior to the adoption of a redevelopment plan, the Governing Body must first refer the matter to the Municipal Planning Board for its consideration of a

redevelopment plan and the issuance of a report containing its recommendation concerning the redevelopment plan; and

WHEREAS, the Township Council of the Township of Piscataway has previously authorized the Piscataway Township Planning Board to consider a redevelopment plan for the Property by the adoption of Resolution #22-248; and

WHEREAS, a public hearing for the purpose of reviewing the proposed redevelopment plan and its consistency with the Township Master Plan was conducted on June 14, 2023 at 7:30 p.m., virtually via Zoom pursuant to the Department of Community Affairs guidelines; and

WHEREAS, at said meeting the Township of Piscataway Planning Board considered a proposed non-condemnation redevelopment plan prepared by 4Site Planning, LLC, dated May 10, 2023 (the “Redevelopment Plan”); and

WHEREAS, at said meeting, the Township of Piscataway Planning Board determined that the proposed land use plan, including permitted principal and conditional uses, permitted accessory structures and uses, and the area, yard and bulk requirements proposed were all reasonable and appropriate and would further the goals and objectives of the Redevelopment Plan, and further that the proposed Redevelopment Plan is consistent with both the Master Plan of the Township of Piscataway and the New Jersey State Development and Redevelopment Plan, and adopted a written resolution memorializing those determinations on June 14, 2023; and

WHEREAS, the Township Council has reviewed the aforesaid Resolution adopted by the Piscataway Township Planning Board, as well as the proposed Redevelopment Plan prepared by 4Site Planning, LLC and has carefully considered the appropriateness of the Redevelopment Plan.

NOW, THEREFORE, be it ordained by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that the proposed non-condemnation redevelopment plan for the property known as and designated on the Township of Piscataway Tax Map as Block 5301, Lot 14.04 is hereby approved.

AND BE IT FURTHER ORDAINED, that the Township Council hereby determines that the redevelopment plan is consistent with the goals and objectives of the Township’s Master Plan and the New Jersey State Development and Redevelopment Plan. 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 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 provision 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

Mr. Uhrin opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Mr. Uhrin opened the Meeting to the In-Person Attendees for Comments

There being no comments, the public portion was closed.

RESOLUTION offered by Mr. Shah seconded by Ms. Lombardi, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE APPROVING A REDEVELOPMENT PLAN FOR BLOCK 5301 LOT 14.04

was introduced on the 8th day of June, 2023 and had passed the first reading and was published on the 13th day of June, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on June 27, 2023, 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. 2023-17.

On roll call vote Messrs. Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 19A LAND USE PROCEDURES, SECTION 19A-6, FEES FOR BOARD OF ADJUSTMENT, PLANNING BOARD AND ADMINISTRATIVE DETERMINATIONS, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS, the Mayor and Township Council of the Township of Piscataway, Middlesex County, finds it in the best interest of the public to amend Chapter 19A, Land Use Procedures, Section 19A-6, Fees for Board of Adjustment, Planning Board and Administrative Determinations, of the Revised General Ordinances of the Township of Piscataway regarding the fee for Zoning Officer Opinion Letters; and

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter 19A, Land Use Procedures, Section 19A-6, Fees for Board of Adjustment, Planning Board and Administrative Determinations, of the Revised General Ordinances of the Township of Piscataway is hereby amended with additions shown in italics and deletions shown in brackets with text as follows:

CHAPTER 19A LAND USE PROCEDURES
SECTION 19A-6 FEES FOR BOARD OF ADJUSTMENT, PLANNING BOARD AND ADMINISTRATIVE DETERMINATIONS

b. Miscellaneous Fees

5. Zoning Officer opinion letters Minimum [\$250] \$750

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. Uhrin opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Mr. Uhrin opened the Meeting to the In-Person Attendees for Comments

There being no comments, the public portion was closed.

RESOLUTION offered by Ms. Lombardi seconded by Mr. Shah, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER 19A LAND USE PROCEDURES, SECTION 19A-6, FEES FOR BOARD OF ADJUSTMENT, PLANNING BOARD AND ADMINISTRATIVE DETERMINATIONS, IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

was introduced on the 8th day of June, 2023 and had passed the first reading and was published on the 13th day of June, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on June 27, 2023, 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. 2023-18.

On roll call vote Messrs. Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, REPLACING CHAPTER II (2) ADMINISTRATION, SECTION 50, MUNICIPAL ALLIANCE COMMITTEE – SUBSTANCE ABUSE TASK FORCE, WITH CHAPTER II, ADMINISTRATION, SECTION 50, COMMUNITY OUTREACH ADVISORY BOARD IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS, the Mayor and Township Council of the Township of Piscataway, Middlesex County, finds it in the best interest of the public to amend Chapter II, Administration, Section 50, Municipal Alliance Committee – Substance Abuse Task Force, of the Revised General Ordinances of the Township of Piscataway regarding the creation of a Community Outreach Advisory Board with a mission to provide substance abuse prevention programs and education as well as recovery and mental health programming; 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 50, Municipal Alliance Committee – Substance Abuse Task Force, of the Revised General Ordinances of the Township of Piscataway is hereby deleted in its entirety and replaced as follows:

CHAPTER II ADMINISTRATION
SECTION 2-50 COMMUNITY OUTREACH ADVISORY BOARD

2-50.1 Mission and Functions.

The purpose of the Community Outreach Advisory Board is to promote a healthy community and reduce the harmful effects associated with alcohol and drug use through:

- a. Identifying alcoholism and drug abuse prevention, education and community needs in the Township of Piscataway
- b. Seeking funding to support education and programming
- c. Promoting the Township of Piscataway's outreach programs
- d. Encouraging community involvement in outreach, education, and programming
- e. Engaging diverse groups of community stakeholders
- f. Advising and recommend community outreach initiatives
- g. Identifying and developing alcoholism, drug use and recovery, and mental health programming.

2-50.2 Membership.

The Community Outreach Advisory Board shall consist of no more than ten (10) board members, each with a term of two (2) years. All board members shall be appointed by the mayor and shall include broad representation from the local community.

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. Uhrin opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Mr. Uhrin opened the Meeting to the In-Person Attendees for Comments

There being no comments, the public portion was closed.

RESOLUTION offered by Ms. Lombardi seconded by Mr. Espinosa, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, REPLACING CHAPTER II (2) ADMINISTRATION, SECTION 50, MUNICIPAL ALLIANCE COMMITTEE – SUBSTANCE ABUSE TASK FORCE, WITH CHAPTER II, ADMINISTRATION, SECTION 50, COMMUNITY OUTREACH ADVISORY BOARD IN

THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

was introduced on the 8th day of June, 2023 and had passed the first reading and was published on the 13th day of June, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on June 27, 2023, 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. 2023-19.

On roll call vote Messrs. Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE APPROVING A REDEVELOPMENT PLAN FOR BLOCK 3702 LOT 1.02

WHEREAS, the Township of Piscataway has previously determined that the property commonly known as 10 Normandy Drive, and designated on the Tax Map of the Township as Block 3702, Lot 1.02 (the "Property") is a non-condemnation area in need of redevelopment, in accordance with the criteria set forth in N.J.S.A. 40A:12A-5 by the adoption of Resolution #22-395; and

WHEREAS, a redevelopment project can only proceed if a redevelopment plan is adopted by Ordinance of the Municipal Governing Body; and

WHEREAS, prior to the adoption of a redevelopment plan, the Governing Body must first refer the matter to the Municipal Planning Board for its consideration of a redevelopment plan and the issuance of a report containing its recommendation concerning the redevelopment plan; and

WHEREAS, the Township Council of the Township of Piscataway has previously authorized the Piscataway Township Planning Board to consider a redevelopment plan for the Property by the adoption of Resolution #22-395; and

WHEREAS, a public hearing for the purpose of reviewing the proposed redevelopment plan and its consistency with the Township Master Plan was conducted on June 14, 2023 at 7:30 p.m., virtually via Zoom pursuant to the Department of Community Affairs guidelines; and

WHEREAS, at said meeting the Township of Piscataway Planning Board considered a proposed non-condemnation redevelopment plan prepared by 4Site Planning, LLC, dated May 15, 2023 (the "Redevelopment Plan"); and

WHEREAS, at said meeting, the Township of Piscataway Planning Board determined that the proposed land use plan, including permitted principal and conditional uses, permitted accessory structures and uses, and the area, yard and bulk requirements proposed were all reasonable and appropriate and would further the goals and objectives of the Redevelopment Plan, and further that the proposed Redevelopment Plan is consistent with both the Master Plan of the Township of Piscataway and the New Jersey State Development and Redevelopment Plan, and adopted a written resolution memorializing those determinations on June 14, 2023; and

WHEREAS, the Township Council has reviewed the aforesaid Resolution adopted by the Piscataway Township Planning Board, as well as the proposed Redevelopment Plan prepared by 4Site Planning, LLC and has carefully considered the appropriateness of the Redevelopment Plan.

NOW, THEREFORE, be it ordained by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that the proposed non-

condemnation redevelopment plan for the property known as and designated on the Township of Piscataway Tax Map as Block 3702, Lot 1.02 is hereby approved.

AND BE IT FURTHER ORDAINED, that the Township Council hereby determines that the redevelopment plan is consistent with the goals and objectives of the Township's Master Plan and the New Jersey State Development and Redevelopment Plan. 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 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 provision 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. Uhrin opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Mr. Uhrin opened the Meeting to the In-Person Attendees for Comments

There being no comments, the public portion was closed.

RESOLUTION offered by Mr. Rouse seconded by Mr. Shah, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE APPROVING A REDEVELOPMENT PLAN FOR BLOCK 3702 LOT 1.02 was introduced on the 8th day of June, 2023 and had passed the first reading and was published on the 13th day of June, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on June 27, 2023, 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. 2023-20.

On roll call vote Messrs. Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE FOR THE ACQUISITION OF RIGHTS OF WAY, EASEMENTS AND LAND IN FEE SIMPLE FOR THE IMPROVEMENT OF WINANS AVENUE IN PISCATAWAY TOWNSHIP, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS, Winans Avenue is currently in need of improvement; and

WHEREAS, the improvement of said roadway is in the best interest of the residents of the Township of Piscataway; and

WHEREAS, it is necessary for the improvement of this roadway to acquire easements, rights of way and, if required, land in fee simple, in regard to certain properties on or along International Avenue.

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

A. As part of the improvements to Winans Avenue, it is necessary to acquire easement interests, rights of way and, if required, land in fee simple, in a portion of the properties set forth on Schedule A attached hereto and made a part hereof.

B. The Township Council has determined that the acquisition of the aforesaid easements, rights of way, rights and fee simple interests on the property designated on Schedule A is necessary for the safety of the public and conforms to the public interest.

C. The Township Attorney, Assistant Township Attorney, or special counsel and such other appropriate officials as necessary be and are hereby authorized to acquire said land interests, either by negotiation or by instituting action by exercising the Township's right of eminent domain (condemnation).

D. Counsel for said acquisition, by negotiation or condemnation, shall commence and complete proceedings as expeditiously as possible, and said Township Attorney, Assistant Township Attorney or special counsel, as the case may be, shall receive reasonable compensation for their services in accordance with their contracts with the Township.

E. The Township Attorney, Assistant Township Attorney and other appropriate officials be and are hereby authorized to hire and employ such appraisers, consultants and experts as may be appropriate to effectuate said acquisitions, whether by negotiation or eminent domain proceedings, and to pay said consultants and experts a reasonable fee for their services.

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. Uhrin opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Mr. Uhrin opened the Meeting to the In-Person Attendees for Comments

There being no comments, the public portion was closed.

RESOLUTION offered by Ms. Lombardi seconded by Mr. Rouse, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE FOR THE ACQUISITION OF RIGHTS OF WAY, EASEMENTS AND LAND IN FEE SIMPLE FOR THE IMPROVEMENT OF WINANS AVENUE IN PISCATAWAY TOWNSHIP, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

was introduced on the 8th day of June, 2023 and had passed the first reading and was published on the 13th day of June, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on June 27, 2023, 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. 2023-21

On roll call vote Messrs. Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE FOR THE ACQUISITION OF RIGHTS OF WAY, EASEMENTS AND LAND IN FEE SIMPLE FOR THE IMPROVEMENT OF LEVGAR STREET IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS, Levgar Street is currently in need of improvement; and
WHEREAS, the improvement of said roadway is in the best interest of the residents of the Township of Piscataway; and
WHEREAS, it is necessary for the improvement of this roadway to acquire easements, rights of way and, if required, land in fee simple, in regard to certain properties on or along Levgar Street.

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

A. As part of the improvements to Levgar Street, it is necessary to acquire easement interests, rights of way and, if required, land in fee simple, in a portion of the properties set forth on Schedule A attached hereto and made a part hereof.

B. The Township Council has determined that the acquisition of the aforesaid easements, rights of way, rights and fee simple interests on the property designated on Schedule A is necessary for the safety of the public and conforms to the public interest.

C. The Township Attorney, Assistant Township Attorney, or special counsel and such other appropriate officials as necessary be and are hereby authorized to acquire said land interests, either by negotiation or by instituting action by exercising the Township's right of eminent domain (condemnation).

D. Counsel for said acquisition, by negotiation or condemnation, shall commence and complete proceedings as expeditiously as possible, and said Township Attorney, Assistant Township Attorney or special counsel, as the case may be, shall receive reasonable compensation for their services in accordance with their contracts with the Township.

E. The Township Attorney, Assistant Township Attorney and other appropriate officials be and are hereby authorized to hire and employ such appraisers, consultants and experts as may be appropriate to effectuate said acquisitions, whether by negotiation or eminent domain proceedings, and to pay said consultants and experts a reasonable fee for their services.

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. Uhrin opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Mr. Uhrin opened the Meeting to the In-Person Attendees for Comments

There being no comments, the public portion was closed.

RESOLUTION offered by Mr. Espinosa seconded by Ms. Lombardi, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE FOR THE ACQUISITION OF RIGHTS OF WAY, EASEMENTS AND LAND IN FEE SIMPLE FOR THE IMPROVEMENT OF LEVGAR STREET

IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY

was introduced on the 8th day of June, 2023 and had passed the first reading and was published on the 14th day of June, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on June 27, 2023, 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. 2023-22.

On roll call vote Messrs. Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

The Clerk read for FIRST READING the following ORDINANCE: ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING THE SALARY, COMPENSATION AND CLASSIFICATION PLAN FOR THE OFFICIALS AND EMPLOYEES OF THE TOWNSHIP AND AMENDING CHAPTER II (2) ADMINISTRATION, SECTION 2-18, DIVISION OF POLICE

RESOLUTION offered by Mr. Shah seconded by Mr Rouse, ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING THE SALARY, COMPENSATION AND CLASSIFICATION PLAN FOR THE OFFICIALS AND EMPLOYEES OF THE TOWNSHIP AND AMENDING CHAPTER II (2) ADMINISTRATION, SECTION 2-18, DIVISION OF POLICE

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 18th day of July, 2023.

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. Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

RESOLUTION #23-241

RESOLUTION offered by Ms. Lombardi, seconded by Mr. Espinosa:

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

WHEREAS, each of the following Resolutions, Motions or Proclamations to be presented before the Township Council at its June 27, 2023 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Return of Sterling Village Security Deposits and Payments of Arrears to Township of Piscataway – Apt. 341, 126, 419, 415 & 550.
- b. RESOLUTION – Authorizing Award of Contract Under NJ State Contract – 2023 Ford Interceptor - Patrol Cars Upfit - Winner Ford – Not to Exceed \$148,240.41.
- c. RESOLUTION – Authorizing 2023 Peddlers & Solicitors Licenses – Amjad M. Alasmar, Deepak Bansal and Gabriel Acosta.

- d. RESOLUTION – Authorizing Cancellation of Taxes and Refund Due to 100% Disabled Veteran Status – Block 8202, Lot 21.01 and Block 8207, Lot 16.01.
- e. RESOLUTION – Authorizing Submission of Grant Application and Execution of Grant Contract with New Jersey DOT – Levgar Street Improvements Project.
- f. RESOLUTION – Authorizing Tax Appeal Settlement – Block 6003, Lot 13 – 271 Hoes Lane.
- g. RESOLUTION – Authorizing Chapter 159 – 2023 Alcohol Education Rehabilitation & Enforcement Fund.
- h. RESOLUTION – Authorizing Award of Professional Services Contract for Sanitary Sewer Flow Monitoring Study (I/I Study) Phase 7 – CME Associates – Not to Exceed \$659,452.00.
- i. RESOLUTION - Authorizing Municipal Lien for Abatement of Public Nuisance – Various Blocks and Lots.
- j. RESOLUTION – Authorizing Return of Performance Surety and Cash Bonds:
- k. Block 6702, Lot 3.03 – 201 Centennial Avenue – 18-PB-16/17V.
- l. Block 6702, Lot 3.03 – 201 Centennial Avenue – East Lot Stormwater and Detention Basin Construction - 18-PB-16/17V.
- m. RESOLUTION – Authorizing Investment Grade Audit Agreement Phase 2 – Schneider Electric.
- n. RESOLUTION – Authorizing Change Order No. 1 – 2022-2023 Hot Mix Asphalt – 2 Road Construction Materials – Stavola Construction Material, Inc. – Not to Exceed \$113,800.00.
- o. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to Duplicate Payment – Block 5101, Lot 4.02.
- p. RESOLUTION – Authorizing Award of Bid – 2023-2024 Sidewalk Repair Program Including Curbs, Driveways and Handicap Ramps – Discover Construction, LLC – Not to Exceed \$531,423.80.
- q. RESOLUTION – Authorizing Award of Bid – 2023 Sanitary Sewer Rehabilitation Project Phase 5 – National Water Main Cleaning Co. – Not to Exceed \$226,910.00.
- r. RESOLUTION – Authorizing Chapter 159 – Opioids Settlement.
- s. RESOLUTION – Opposing H.R. 3557, the American Broadband Act of 2023.
- t. RESOLUTION – Authorizing Award of Professional Services Contract – NJDEP Stormwater Regulation & Air Permits Consultation Services – Chapman Environmental Services – Not to Exceed \$11,000.00.
- u. RESOLUTION Authorizing Award of Contract Through Middlesex County Cooperative for Hot Mix Asphalt – Stavola Asphalt Company, Inc. – Not to Exceed \$500,000.00.
- v. RESOLUTION – Authorizing Professional Services Contracts for Appraisal Services – Winans Avenue Road Improvements – 27 Properties & Levgar Street Road Improvements – 24 Properties - Sockler Realty Services Group – Not to Exceed \$13,500.00 and \$12,000.00.
- w. MOTION – Accept Report of Clerk’s Account – May 2023.
- x. MOTION – Accept Report of the Division of Revenue – May 2023.
- y. MOTION – Receive and Enter into Minutes Disbursements for the Month of May 2023.

On roll call vote Messrs. Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

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

RESOLUTION #23-242

WHEREAS, the Township of Piscataway (the “Township”) is in possession of a Security Deposit being held on behalf of Reuben Scrubb in the amount of \$858.13, posted with the Township for Apartment 126 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$858.13, less \$726.39 in outstanding rent owed to the Township, for a total amount to be released of \$131.74 to Reuben Scrubb; and

WHEREAS, the Township is in possession of a Security Deposit being held on behalf of Janet Skinner in the amount of \$813.90, posted with the Township for Apartment 415 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$813.90, less \$31.30 in outstanding rent owed to the Township, for a total amount to be released of \$782.60 to Janet Skinner; and

WHEREAS, the Township is in possession of a Security Deposit being held on behalf of Sharon Viotto in the amount of \$361.53, posted with the Township for Apartment 550 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$361.53, less \$13.33 in outstanding rent owed to the Township, for a total amount to be released of \$348.20 to Sharon Viotto; and

WHEREAS, the Township is in possession of a Security Deposit being held on behalf of Rhoda Sheppard in the amount of \$1,187.74, posted with the Township for Apartment 419 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of 1,187.74; and

WHEREAS, the Township is in possession of a Security Deposit being held on behalf of Dolores Rivera in the amount of \$987.56, posted with the Township for Apartment 341 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$987.56, less \$32.80 in outstanding rent owed to the Township, for a total amount to be released of \$954.76 to Dolores Rivera; 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 \$131.74 to Reuben Scrubb and in the amount of \$726.39 to the Township of Piscataway for outstanding rent, in regard to Apartment 126 at Sterling Village; and

BE IT FURTHER 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 \$782.60 to Janet Skinner and in the amount of \$31.30 to the Township of Piscataway for outstanding rent, in regard to Apartment 415 at Sterling Village; and

BE IT FURTHER 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 \$348.20 to Sharon Viotto and in the amount of \$13.33 to the Township of Piscataway for outstanding rent, in regard to Apartment 550 at Sterling Village; and

BE IT FURTHER 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 \$1,187.74 to Rhoda Sheppard in regard to Apartment 419 at Sterling Village; and

BE IT FURTHER 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 \$954.76 to Dolores Rivera and in the amount of \$32.80 to the Township of Piscataway for outstanding rent, in regard to Apartment 341 at Sterling Village.

RESOLUTION #23-243

WHEREAS, the Township of Piscataway Police Department is in need of 2023 Patrol Cars Upfitting (the “Upfitting”); and

WHEREAS, the Township of Piscataway Chief of Police recommends awarding a contract for the Upfitting under State Contract #17-FLEET-00719, #17-FLEET-00761, #17-FLEET-00748, #17-FLEET-00768, #17-FLEET-00785, #17-FLEET-00770, #17-FLEET-00792 to Winner Ford, Cherry Hill, NJ in the amount not to exceed \$148,240.41; and

WHEREAS, there is funding available pursuant to certification # R-2023-0225;

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 purchase 2023 Patrol Cars Upfitting under State Contract #17-FLEET-00719, #17-FLEET-00761, #17-FLEET-00748, #17-FLEET-00768, #17-FLEET-00785, #17-FLEET-00770, #17-FLEET-00792 to Winner Ford, Cherry Hill, NJ in the amount not to exceed \$148,240.41.

RESOLUTION #23-244

WHEREAS, Deepak Bansal has applied with the Township of Piscataway for a Solicitors License for 2023; and

WHEREAS, pursuant to a letter from the Piscataway Township Police Department, dated June 14, 2023, a copy of which is attached hereto and made a part hereof, the Piscataway Township Police Department recommends granting a Solicitors License to Deepak Bansal; and

WHEREAS, Gabriel Acosta has applied with the Township of Piscataway for a Solicitors License for 2023; and

WHEREAS, pursuant to a letter from the Piscataway Township Police Department, dated June 20, 2023, a copy of which is attached hereto and made a part hereof, the Piscataway Township Police Department recommends granting a Solicitors License to Gabriel Acosta; and

WHEREAS, Amjad M. Alasmar has applied with the Township of Piscataway for a Peddlers License for 2023; and

WHEREAS, pursuant to a letter from the Piscataway Township Police Department, dated June 14, 2023, a copy of which is attached hereto and made a part hereof, the Piscataway Township Police Department recommends granting a Peddlers License to Amjad M. Alasmar; 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 2023 to Deepak Bansal and to Gabriel Acosta; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to issue a Peddlers License for 2023 to Amjad M. Alasmar.

RESOLUTION #23-245

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

BLOCK	LOT	NAME	YEAR	AMOUNT	REASON
8202	21.01	Gilbert N. Higgins	2023	\$808.60	100% Disabled Veteran

8207	16.01	Marcio G. Moran	2023	\$637.42	100% Disabled Veteran
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THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to cancel the taxes and refund the overpayment of taxes to the record owner. The Collector is hereby authorized to adjust the records accordingly.

RESOLUTION #23-246

WHEREAS, the Township of Piscataway wishes to obtain a grant from the New Jersey Department of Transportation (NJDOT) for the Levgar Street Improvements Project (the "Project"); and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the Township Council formally approves the grant application for the above stated Project; and

BE IT FURTHER RESOLVED that the Mayor, appropriate municipal officials, and Clerk of the Township of Piscataway is hereby authorized to submit an electronic grant application identified as MA-2024-Levgar Street Improvements-00103 to NJDOT on behalf of the Township of Piscataway; and

BE IT FURTHER RESOLVED that the Mayor, appropriate municipal officials, and Clerk of the Township of Piscataway are hereby authorized to sign the grant agreement on behalf of the Township of Piscataway and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION #23-247

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:

Block 6003, Lot 13

371 Hoes Lane

	2019 <u>Assessment</u>	2019 Proposed <u>Assessment</u>	2020 <u>Assessment</u>	2020 Proposed <u>Assessment</u>
Land	3,746,400	3,746,400	3,746,400	3,746,400
Improvements	<u>5,143,600</u>	<u>2,953,600</u>	<u>3,653,600</u>	<u>3,153,600</u>
Total	8,890,000	6,700,000	4,400,000	6,900,000

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

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

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

RESOLUTION #23-248

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 \$2,206.51 from the State of New Jersey, Department of Treasury and wishes to amend its Calendar Year 2023 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 2023:

Amount Received for	
2023 Alcohol Education Rehabilitation & Enforcement Fund	\$2,206.51

BE IT FURTHER RESOLVED that the like sum of \$ \$2,206.51 is hereby appropriated under the caption of:

2023 Alcohol Education Rehabilitation & Enforcement Fund	\$2,206.51
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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 #23-249

WHEREAS, the Township of Piscataway requires Professional Engineering Services Sanitary Sewer Flow Monitoring Study (I/I Study) Phase 7 (the "Project"); and

WHEREAS, CME Associates, Parlin, NJ, has submitted a proposal dated April 17, 2023, 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 \$659,452.00; 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 2023; and

WHEREAS, the Assistant Director of Public Works recommends awarding a contract for the Project to CME Associates; and

WHEREAS, there is funding available pursuant to certification # R-2023-0224;

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 Sanitary Sewer Flow Monitoring Study (I/I Study)- Phase 7 at the rates set forth in said Proposal, with such services not to exceed \$659,452.00 in cost.

RESOLUTION #23-250

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
7003	12	202 WILLOW AVE	\$1,066.25
1502	29	9 WOODROW AVE	\$407.87
8501	18	36 CHARLES TERR	\$282.06

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 #23-251

WHEREAS, Concrete Construction Corp., Hackensack, New Jersey, requests the release of a Performance Surety Bond in the amount of \$209,797.59 and an Off-Site Improvement Cash Bond in the original amount of \$23,310.84, which were posted with the Township of Piscataway on May 23, 2019, regarding improvements for Block 6702, Lot 3.03 (201 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated May 3, 2023 and a letter from the Township Supervisor of Engineering dated June 12, 2023, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that all improvements required and covered have been satisfactorily installed, a maintenance bond is not required, and recommends the release of the Performance Surety Bond and Off-Site Improvement Cash Bond; and

WHEREAS, Concrete Construction Corp., Hackensack, New Jersey, requests the release of a Performance Surety Bond in the amount of \$348,168.24 and an OnSite Improvement Cash Bond in the original amount of \$38,685.36, which were posted with the Township of Piscataway on July 23, 2019 and July 23, 2019 respectively, regarding improvements for Block 6702, Lot 3.03 (201 Centennial Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated May 3, 2023 and a letter from the Township Construction Official dated June 12, 2023, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that the improvements required and covered have been satisfactorily installed, a maintenance bond is not required, and recommends the release of the Performance Surety Bond and Off-Site Improvement Cash Bond; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release a Performance Surety Bond in the amount of \$209,797.59 and an Off-Site Improvement Cash Bond in the amount of \$23,310.84 (including accrued interest), to Concrete Construction Corp. regarding improvements for Block 6702, Lot 3.03 (201 Centennial Avenue); 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 Performance Surety Bond in the amount of \$348,168.24 and an Off-Site Improvement Bond in the amount of \$39,114.56 (including accrued interest), to Concrete Construction Corp. regarding improvements for Block 6702, Lot 3.03 (201 Centennial Avenue).

RESOLUTION #23-252

WHEREAS, the Township of Piscataway ("Township") continues to look for ways to reduce its energy consumption for the benefit of the environment and to reduce Township costs; and

WHEREAS, the Township previously awarded a contract for Phase 1 of an Energy Savings Improvement Project, and the Township Assistant Director of Public Works has recommended that the Township proceed with Phase 2 of an Energy Savings Improvement Project for Design Development and ESIP Finalization (the "Project"); and

WHEREAS, the Township wishes to award a contract for the Project to Schneider Electric Buildings Americas, Inc., Lyndhurst, NJ, (“Schneider”) through the 1GPA National Purchasing Cooperative RFP #22-07P; 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, an Investment Grade Audit Agreement (Phase 2), a copy of which is attached hereto and made a part hereof, by and between Schneider Electric Buildings Americas, Inc. (“ESCO”) and the Township of Piscataway is proposed for the performance of an Investment Grade Audit (“IGA”) to determine the scope of work, guaranteed savings amount, energy conservation measures (“ECMs”) and project price for a comprehensive improvement program; and

WHEREAS, the Township would not be obligated to any payment for the Project, unless the Township does not wish to execute a guaranteed Energy Savings Contract with Schneider upon the completion of the Project, at which time the Township would owe Schneider an amount not to exceed \$240,845.00; and

WHEREAS, funds are available pursuant to certification # R-2023-0229;

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 the Investment Grade Audit Agreement (Phase 2), in substantially the form attached hereto, between Schneider Electric Buildings Americas, Inc. and the Township of Piscataway through the 1GPA National Purchasing Cooperative RFP #22-07P, in the amount not to exceed \$240,845.00 if terminated, subject to all bid specifications and contract documents.

RESOLUTION #23-253

WHEREAS, the Township of Piscataway (the “Township”) awarded a contract to Stavola Construction Materials, Inc., Tinton Falls, New Jersey for the 2022-2023 Hot Mix Asphalt-2 Road Construction Materials (the "Project"), in the amount not to exceed \$569,000.00; 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 Stavola Construction Materials, 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 \$113,800.00 increase in the total amount of the Project from the original contract amount for a final total not to exceed \$683,300.00, a 19.98% 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, funds are available pursuant to certification # B-2022-023-01;

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 2022-2023 Hot Mix Asphalt-2 Road Construction Materials from \$569,000.00, to a final total not to exceed \$683,300.00 and execute a Change Order in the amount of \$113,800.00, subject to all bid specifications and contract documents.

RESOLUTION #23-254

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

Block	Lot	Qual	Name	Year	Amount	Reason
5101	4.02		AMIERICOLD REALTY	2023	187,985.70	Owner Paid & Tenant Paid

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 #23-255

WHEREAS, on June 22, 2023, the Township of Piscataway (the “Township”) received four (4) bids in regard to the 2023-2024 Township Sidewalk Repair Program to Include Curbs, Driveways, & Handicap Ramps (the “Project”); and

WHEREAS, the Director of Public Works reviewed the bids and recommended awarding a contract for the Project to Discover Construction, Dayton, NJ who is the lowest qualifying bidder, in the amount not to exceed \$531,423.80; and

WHEREAS, funds are available pursuant to certification # R-2023-012;

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 2023-2024 Township Sidewalk Repair Program to Include Curbs, Driveways, & Handicap Ramps to Discover Construction, Dayton, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$531,423.80, subject to all bid specifications and contract documents.

RESOLUTION #23-256

WHEREAS, on June 22, 2023, the Township of Piscataway (the “Township”) received two (2) bids in regard to 2023 – Sanitary Sewer Rehabilitation Project Phase -5 (the “Project”); and

WHEREAS, the Assistant Director of Public Works – Sewer Operations reviewed the bids and recommended awarding a contract for the Project to National Water Main Cleaning Co., Kearny, NJ who is the lowest qualifying bidder, in the amount not to exceed \$226,910.00; and

WHEREAS, funds are available pursuant to certification # R-2023-013;

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 2023 – Sanitary Sewer Rehabilitation Project Phase - 5 to National Water Main Cleaning Co., Kearny, NJ, who is the lowest qualifying bidder, in the amount not to exceed \$226,910.00, subject to all bid specifications and contract documents.

RESOLUTION #23-257

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

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

WHEREAS, the Township of Piscataway has received notice of an award of \$7,317.99 from the National Opioids Settlement Fund Trust and wishes to amend its Calendar Year 2023 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 2023:

<i>Amount Received for</i>	
Opioids Settlement	\$7,317.99

BE IT FURTHER RESOLVED that the like sum of \$ \$7,317.99 is hereby appropriated under the caption of:

Opioids Settlement	\$7,317.99
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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 #23-258

WHEREAS, H.R. 3557, “American Broadband Act of 2023,” was introduced with little notice and without full text on May 22, 2023, and was approved by the House Committee on Energy and Commerce, and ordered to be reported following markup only two days later on May 24, 2023; and

WHEREAS, prior to H.R. 3557’s introduction, only a single hearing was held on the eventual contents, on April 19, 2023, before the House Communications Subcommittee, the testimony before which consisted exclusively of that from witnesses supportive of federal preemption and to which not a single state or local government representative was invited to testify; and

WHEREAS, H.R. 3557 would pre-empt local governments’ rights-of-way compensation and management authority, zoning powers, cable franchising authority, and property rights; and

WHEREAS, the proposed bill would bestow on broadband providers an unprecedented federal grant of access to state and local public property, but impose no obligations on those providers to serve “unserved” and “underserved” Americans; and

WHEREAS, H.R. 3557 would mandate that siting decisions be “deemed granted” if not denied by a local government within 60 days, which is as little as 25 % of the time the federal government gives itself to make identical decisions concerning access to federal property; and

WHEREAS, H.R. 3557 would make virtually any local government decision not to allow the installation of a proposed wireless facility at a provider’s request a “prohibition” preempted by federal law, and would require local governments to draft and publicly release a written explanation for the decision to deny an application on the same day it votes on the decision—a virtually impossible task because such written decisions typically require the examination and analysis of evidence presented to local council; and

WHEREAS, the bill would substitute the FCC for the local federal district court as the reviewing body for challenges to local government decisions regarding wireless facility applications, thus breaking the promise made by Congress in 1996 that local governments would not be required to travel to Washington to defend local decisions; and

WHEREAS, H.R. 3557 would also eliminate cable franchise renewals, thereby restricting the ability of state or local franchising authorities to enforce franchise obligations such as public, educational, and government channel capacity and facilities, customer service requirements, and system build-out requirements; and

WHEREAS, H.R. 3557 would affirmatively grant cable operators the right to use local rights-of-way to provide non-cable services while prohibiting localities from imposing any fees on non-cable services for use of those rights-of-way; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Piscataway opposes HR 3557 and urges the House and Senate not to pass this legislation.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Senate President, Vice President of the United States, Kamala Harris; Speaker of the House of Representatives, Senator Kevin McCarthy; Senator Cory Booker; Senator Bob Menendez; Representative Frank Pallone Jr.; President of the United States Joseph R. Biden; and New Jersey State League of Municipalities.

RESOLUTION #23-259

WHEREAS, the Township of Piscataway requires NJDEP Stormwater & Air Compliance Services (the "Project"); and

WHEREAS, Chapman Environmental Services, Eatontown, New Jersey, has submitted a proposal dated May 26, 2023, for NJDEP Stormwater and Air Compliance Services related to said Project, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$9,500.00; and

WHEREAS, the Director of the Department of Public works estimates that there will also be about \$1,500.00 in reimbursable expenses to Chapman required for the Project, making a total not to exceed \$11,000.00 for the Project; and

WHEREAS, Chapman Environmental Services, Eatontown, New Jersey, was previously qualified under the Fair and Open Process to provide professional services for Professional Engineering Services – NJDEP Stormwater by the Township of Piscataway for 2023; and

WHEREAS, the Director of Public Works recommends awarding a contract for the Project to Chapman Environmental Services; and

WHEREAS, there is funding available pursuant to certification # R-2023-0226;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Chapman Environmental Services, Eatontown, New Jersey, to provide NJDEP Stormwater & Air Compliance Services at the rates set forth in said Proposal, with such services and reimbursable expenses not to exceed \$11,000.00 in cost.

RESOLUTION #23-260

WHEREAS, the Township of Piscataway is in need of 2023-2024 Hot Mix Asphalt for Road Resurfacing (the "Asphalt"); and

WHEREAS, the Township of Piscataway Director of Public Works recommends awarding a contract for the Asphalt through the Middlesex County Cooperative Contract Bid No. B-23-097 to Stavola Asphalt Company, Inc., Tinton Falls, NJ in an amount not to exceed \$500,000.00; and

WHEREAS, there is funding available pursuant to certification # R-2023-0227;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to enter into a contract with Stavola Asphalt Company, Inc., Tinton Falls, NJ for the 2023-2024 Hot Mix Asphalt for Road Resurfacing in the amount not to exceed \$500,000.00 through the Middlesex County Cooperative Contract Bid No. B-23-097.

RESOLUTION #23-261

WHEREAS, the Township of Piscataway requires Professional Appraisal Services in regard to Levgar Street Road Improvement – 24 Properties (the "Levgar Project"); and

WHEREAS, Sockler Realty Services Group Incorporated, Hightstown, NJ, has submitted a proposal dated June 26, 2023, for Professional Appraisal Services related to said Levgar Project, a copy of which is attached hereto and made a part hereof ("Levgar Proposal"), with a cost not to exceed \$12,000.00; and

WHEREAS, the Township of Piscataway requires Professional Appraisal Services in regard to Winans Avenue Road Improvement – 27 Properties (the "Winans Project"); and

WHEREAS, Sockler Realty Services Group Incorporated, Hightstown, NJ, has submitted a proposal dated June 26, 2023, for Professional Appraisal Services related to said Winans Project, a copy of which is attached hereto and made a part hereof ("Winans Proposal"), with a cost not to exceed \$13,500.00; and

WHEREAS, Sockler Realty Services Group Incorporated, Hightstown, NJ, 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 2023; and

WHEREAS, there is funding available pursuant to certification # R-2023-0230 and R-2023-0231;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Sockler Realty Services Group Incorporated, Hightstown, NJ, to provide Professional Appraisal Services in regard to the Levgar Project at the rates set forth in said Proposal, with such services not to exceed \$12,000.00 in cost; and

BE IT FURTHER RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Sockler Realty Services Group Incorporated, Hightstown, NJ, to provide Professional Appraisal Services in regard to the Winans Project at the rates set forth in said Proposal, with such services not to exceed \$13,500.00 in cost.

Council President Uhrin opened the Meeting to the Remote Attendees for a Public Hearing -Announcing/Adopting project and approving prequalification regulations – Metlar-Bodine House Restoration.

There being no comments, the public portion was closed.

Council President Uhrin opened the Meeting to the In-Person Attendees for a Public Hearing -Announcing/Adopting project and approving prequalification regulations – Metlar-Bodine House Restoration.

There being no comments, the public portion was closed.

RESOLUTION #23-262

RESOLUTION offered Ms. Lombardi, seconded by Mr. Espinosa.

WHEREAS, pursuant to N.J.S.A. 40A:11-25, the Mayor and Council of the Township of Piscataway may establish reasonable regulations appropriate for controlling the qualifications of prospective bidders upon contracts to be awarded by the Township; and

WHEREAS, the Township is required to establish prequalification regulations for projects financially assisted by the New Jersey Historic Preservation Bond Fund; and

WHEREAS, the Township seeks such financial assistance in connection with the exterior restoration of the Metlar-Bodine House; and

WHEREAS, there have been promulgated contractor prequalification regulations in connection with the exterior renovation of the Metlar-Bodine House; and

WHEREAS, the Mayor and Council has conducted a public hearing and has determined that it is in the best interest of the Township of Piscataway to establish reasonable regulations appropriate for controlling the qualification of perspective bidders in connection with the exterior restoration of the Metlar-Bodine House; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Piscataway, in the County of Middlesex and State of New Jersey, that the prequalification regulations attached hereto are hereby adopted for utilization in connection with the bid for the exterior restoration of the Metlar-Bodine House; and

BE IT FURTHER RESOLVED that the implementation of the contractor prequalification regulations is subject to review and approval of the Director of the Division of Local Government Services and the Township Clerk is hereby authorized to file with the Director of the Division of Local Government Services proposed regulations, a true copy of this resolution, a true copy of the hearings, copies of the two newspaper legal advertisements for public hearing and a completed, certified, standard certification form.

On roll call vote Messrs. Espinosa, Lombardi, Rouse, Shah and Uhrin answered yes.

Council President Uhrin reviewed the application for Municipal Consent for Cable Franchise Renewal from CSC TKR, LLC d/b/a/ Cablevision of Raritan Valley (Altice).

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

- Councilman Espinosa congratulated the class of 2023
- Councilwoman Lombardi wished Council President Uhrin and former Councilman Steve Cahn a Happy Birthday. She also reminded residents about the 4th of July festivities that the Township is having. She told residents that the Summer Concert Series begins July 13th.
- Councilman Shah reminds residents about the upcoming Bike Rodeo at the Community Center.
- Mayor Brian Wahler spoke about the traffic pattern where the state flipped the roadway on River Rd by the 287 bridge. He said that the Police Department is doing their survey and will be in contact with the state project engineer to make some recommendations for changes to ensure safety.

The Council considered the matters on the Agenda for June 27, 2023:

- PROCLAMATION – Police & Citizen Heroes.

- ORDINANCE – SECOND READING – Amending the Salary, Compensation and Classification Plan for the Officials and Employees of the Township and Amending Chapter 2 – Administration, Section 18, Division of Police – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- RESOLUTION – Authorizing Refund of Raffle and One Day Temporary Food License Fees – Event Cancelled – LEAD Fest.
- RESOLUTION – Authorizing Refund of Picnic Fee – Nanette Manfre.
- RESOLUTION – Authorizing Award of Professional Services – Engineering Services for Hancock Road Culvert – Naik Group – Not to Exceed \$390,000.00.
- RESOLUTION – 2023-2024 Liquor License Renewal – JSM Investments LLC – 1217-33-005-003.

OPEN TO PUBLIC – REMOTE ATTENDEES:

Holly Cox, Montville NJ Resident, spoke about the air quality in New Jersey. She asked the Council to oppose the new Woodbridge Township power plant. She spoke about the effects of climate change.

Celeste Tricano, Colonia NJ Resident, asked the Council to oppose the new Woodbridge Township power plant. She said that she believes most Woodbridge Township residents are not aware of the power plant. She spoke about the effects of climate change.

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

OPEN TO PUBLIC – IN PERSON ATTENDEES:

Costas Efthymious, 58 Curtis Ave, speaks about how the yield sign on Stelton and Washington Ave needs to be removed and replaced with a traffic light. He says that people do not yield and that it is dangerous. He also asked why there was an “X” on a tree on Washington Ave.

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

There being no further business to come before the council, the meeting was adjourned at 8:13pm. Motion by Ms. Lombardi seconded by Mr. Rouse, carried unanimously.

Respectfully submitted,

Accepted:

Kelly Mitch, Deputy Township Clerk

Frank Uhrin
Council President