

November 28, 2023

A Regular Meeting of the Piscataway Township Council was held on November 28, 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. Cahill, Carmichael, Lombardi 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.

Township Clerk Melissa Seader advises that Councilman Shah joined the meeting.

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:  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER VII (7),  
TRAFFIC, SECTION 40, CONTROL FOR THE MOVEMENT AND THE PARKING OF  
TRAFFIC ON PUBLIC AND PRIVATE PROPERTY, TO ASSERT TITLE 39  
JURISDICTION ON 100 SPRINGFIELD AVENUE

WHEREAS, the Township has determined that it would serve a public purpose for it to assert Title 39 jurisdiction on the Property; and

WHEREAS, the administration has reviewed the request and recommends enforcement of Title 39 on the Properties; and

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter VII, Traffic, Section 40, Control for the Movement and the Parking of Traffic on Public and Private Property, of the Revised General Ordinances of the Township of Piscataway are hereby amended with additions shown in *italics text* as follows:

CHAPTER VII

TRAFFIC

7-40 CONTROL FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON PUBLIC AND PRIVATE PROPERTY.

\* \* \*

7-40.3 Regulation for the Movement and the Parking of Traffic on All Other Private Property.

In accordance with the provisions of N.J.S.A. 39:5A-1 the regulations of Subtitle 1, Title 39 of the New Jersey Statutes are hereby made applicable to the properties listed below.

\* \* \*

F. *100 Springfield Avenue.*

- a. *The Township of Piscataway asserts Title 39 jurisdiction over the property located at 100 Springfield Avenue, Piscataway, NJ and authorizes the Township of Piscataway Police Department to enforce same.*
- b. *The Township Attorney and the Township Administrator are hereby authorized to take all actions necessary to assert Title 39 jurisdiction over the property, in accordance with the terms of this subsection.*

\* \* \*

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 Ms. Cahill, 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 VII (7),  
TRAFFIC, SECTION 40, CONTROL FOR THE MOVEMENT AND THE PARKING OF  
TRAFFIC ON PUBLIC AND PRIVATE PROPERTY, TO ASSERT TITLE 39  
JURISDICTION ON 100 SPRINGFIELD AVENUE

was introduced on the 9<sup>th</sup> day of November, 2023 and had passed the first reading and was published on the 16<sup>th</sup> day of November, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on November 28, 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. 2023-30.

On roll call vote Messrs. Cahill, Carmichael, Lombardi and Uhrin answered yes.

RESOLUTION #23-408

RESOLUTION offered by Ms. Lombardi, seconded by Ms. Carmichael:

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 November 28, 2023 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Return of Escrow:
  - o Block 4502, Lot 1 – 152 Old New Brunswick Road – 18-ZB-58/59V.
  - o Block 4502, Lot 1 – 152 Old New Brunswick Road – Concept Plan.
- b. RESOLUTION – Authorizing Acceptance of Project and Release of Retainage – New Market Lake Park Area Improvements, Phase V – EZ Docks Unlimited.
- c. RESOLUTION – Authorizing Return of Sterling Village Security Deposit and Payment of Arrears to Township of Piscataway - Apt. 354.
- d. RESOLUTION – Authorizing Contract Amendment No. 1 – Professional Conflict Services – Township Public Defender – Wisniewski & Associates, LLC – Not to Exceed \$37,833.32.

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 November 28, 2023 Regular meeting and adopted by separate vote.

On roll call vote Messrs. Cahill, Carmichael, Lombardi and Urin answered yes.

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

RESOLUTION #23-409

WHEREAS, on December 20, 2018, October 7, 2019, and October 25, 2019, Lukoil North America LLC., New York, NY, posted three (3) escrow checks with the

Township of Piscataway in the amounts of \$5,500.00, \$2,500.00 and \$2,500.00, respectively, regarding Zoning Application # 18-ZB-58/59V for Block 4502, Lot 1 (152 Old New Brunswick Road); and

WHEREAS, pursuant to a Request for Release of Funds dated July 21, 2023, and a Memorandum from the Township Supervisor of Planning dated November 15, 2023, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$441.41 to Lukoil North America LLC., New York, NY; and

WHEREAS, on March 19, 2018, and September 4, 2018, Lukoil North America LLC., New York, NY, posted two (2) escrow checks with the Township of Piscataway in the amounts of \$1,500.00 and \$1,000.00, respectively, regarding Block 4502, Lot 1 (152 Old New Brunswick Road) for Concept Plan Review; and

WHEREAS, pursuant to a Request for Release of Funds dated July 21, 2023, and a Memorandum from the Township Supervisor of Planning dated November 14, 2023, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$224.41 to Lukoil North America LLC., New York, NY; 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 Lukoil North America, LLC., New York, NY in the amount of \$441.41, regarding Block 4502, Lot 1 (152 Old New Brunswick Road) for Zoning Application # 18-ZB-58/59V; 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 unexpended escrow fees to Lukoil North America, LLC., New York, NY in the amount of \$224.41, regarding Block 4502, Lot 1 (152 Old New Brunswick Road) for Concept Plan Review.

#### RESOLUTION #23-410

WHEREAS, EZ Docks Unlimited, Belford, NJ entered into an agreement with the Township of Piscataway ("Township") for the New Market Lake Park Area Improvements – Phase V (Part 1) (the "Project"), where EZ Docks Unlimited, would complete certain improvements at cost, in the amount not to exceed \$432,760.00; and

WHEREAS, a Change Order was previously approved for \$12,550.00, for a revised contract price of \$445,310.00, a 2.90% increase pursuant to Resolution # 23-290; and

WHEREAS, pursuant to a Memorandum from the Township Landscape Architect dated November 17, 2023, recommends the acceptance of the Project and release of the retainage in the amount of \$8,906.20, as the two (2) year maintenance bond in the amount of \$44,531.00 has already been received; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township that the appropriate municipal officials be and are hereby authorized to accept the Project and return retainage funds to EZ Docks Unlimited, Belford, NJ, in the amount of \$8,906.20.

#### RESOLUTION #23-411

WHEREAS, the Township of Piscataway (the "Township") is in possession of a Security Deposit being held on behalf of Grace Seabrooks, in the amount of \$1,205.55 posted with the Township for Apartment 354 at Sterling Village; and

WHEREAS, the Township Finance Department recommends the release of said Security Deposit, in the amount of \$1,205.55, less \$263.00 in outstanding rent owed to the Township, for a total amount of \$942.55 to be released to Grace Seabrooks; and

NOW, THEREFORE, BE IT RESOLVED that the appropriate municipal officials be and are hereby authorized to release said Security Deposit in regard to Apartment 354 at Sterling Village totaling \$1,205.55 in the amounts of \$263.00 to the Township of Piscataway for outstanding rent and \$942.55 to Grace Seabrooks.

RESOLUTION #23-412

WHEREAS, Wisniewski & Associates, LLC., Sayreville, NJ was awarded a contract for Professional Conflict Services in regard to the 2023 Professional Municipal Public Defender Court Session Services (“Court Session Services”), in the amount not to exceed \$32,500.00; and

WHEREAS, additional work is required for the Court Session Services that was not included in the original scope of work outlined by the Township and not anticipated in the proposal from Wisniewski & Associates, LLC. to the Township for the Court Session Services; 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 Business Administrator has reviewed the Contract Amendment Request No. 1 in the amount of \$5,333.32, dated November 22, 2023, 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-2023-0043-01;

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 Wisniewski & Associates, LLC., Sayreville, NJ, from \$32,500.00 to a final total not to exceed \$37,833.32, an increase of not to exceed \$5,333.32, due to unanticipated work for the 2023 Professional Municipal Public Defender Court Session Services, subject to all bid specifications and contract documents.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

- Councilwoman Cahill informs residents that Santa will be making a visit to the Mayor’s TV show and encourages residents to call in.
- Councilwoman Carmichael reminds residents about the Tree Lighting Event.
- Councilwoman Lombardi tells residents about East Jersey Old Town’s holiday event.
- Mayor Brian Wahler informs residents that Standards & Poor’s has reaffirmed Piscataway’s rating as AA+ stable which is the second highest score that a Township can have.

The Council considered the matters on the Agenda for December 5, 2023:

- FULLY FUNDED SEWER ORDINANCE – SECOND READING - \$2,500,000 – Various Sewer Improvements – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- BOND ORDINANCE – SECOND READING - \$4,220,000/\$4,009,000 – Various Capital Improvements – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – FIRST READING – Amending and Supplementing Various Chapters of the Municipal Code – RESOLUTION Adopting Ordinance.
- RESOLUTION – Authorizing Award of Bid – 2023-2024 Temporary Disposal Management Area Log and Vegetative Debris Removal – Nature’s Choice NJ, LLC – Not to Exceed \$88,725.00.

- RESOLUTION – Renewal of Contract for Prescription, Health and Dental Insurance – Horizon Blue Cross Blue Shield of New Jersey – January 1, 2024 to December 31, 2024 – per Rate Schedule.
- RESOLUTION – Authorizing Budget Transfers.
- RESOLUTION – Authorizing Chapter 159 – Opioids Settlement.

OPEN TO PUBLIC – REMOTE ATTENDEES:

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

OPEN TO PUBLIC – IN PERSON ATTENDEES:

Costas Efthymious, 58 Curtis Ave, complains about the conditions of his street.

There being no further business to come before the council, the meeting was adjourned at 7:44pm. Motion by Ms. Cahill seconded by Ms. Lombardi, carried unanimously.

Respectfully submitted,

Accepted:

Feb. 13

Kelly Mitch, Deputy Township Clerk

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Frank Uhrin  
Council President