

February 13, 2024

A Regular Meeting of the Piscataway Township Council was held on February 13, 2024 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by Council President Cahill at 7:30 p.m.

Ms. Cahill 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.

There will be public comment periods for both remote and in person attendees separately. 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.

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.

On roll call, there were present: Messrs. Carmichael, Espinosa, Lombardi, Rouse, Shah & Cahill.

Ms. Cahill led the salute to the flag.

Township Attorney Rajvir Goomer advises the Council that there was a second reading ordinance for Clawson St that is being moved to the next meeting.

Ms. Cahill 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.

Ms. Cahill 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 VII (7), TRAFFIC, SECTION 14, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, AND SECTION 15, PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS.

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 VII, Traffic, Section 14, Parking Prohibited at All Times on Certain Streets, and Section 15, Parking Prohibited During Certain Hours on Certain Streets, of the Revised General Ordinances of the Township of Piscataway; and

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter VII, Traffic, Section 14, Parking Prohibited at All Times on Certain Streets, and Section 15, Parking Prohibited During Certain Hours on Certain Streets, of the Revised General Ordinances of the Township of Piscataway are hereby amended with additions shown in italics and deletions shown in brackets as follows:

CHAPTER VII TRAFFIC

7-14 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

Name of Street	Sides	Location
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Third Avenue	North	From Possumtown Road to Hancock Road
Turner Place	Both	Entire Length
Vail Avenue (CR #678)	North	From New Market Road (CR #665) easterly to a point 100 feet distant

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7-15 PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS.

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Name of Street	Sides	Hours	Days	Location
Duke Road	Both	6:00 p.m. to 6:00 a.m.	Any Day	Entire Length
[Eighth Street]	[Both]	[9:00 a.m. to 5:00 p.m.]	[Monday through Friday]	[From Adrian Avenue to South Washington Avenue (CR #529)]
Eighth Street	Both	8:00 a.m. to 4:00 p.m.	Monday through Saturday	From its intersection with South Washington Avenue (CR #529) 300 feet west

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.

Ms. Cahill opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Ms. Cahill opened the Meeting to the In-Person Attendees for Comments

Costas Efthymious, 58 Curtis Ave, asks for clarification on this ordinance.

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

RESOLUTION offered by Mr. Espinosa seconded by Mr. Shah, 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 14, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, AND SECTION 15, PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS.

was introduced on the 30th day of January, 2024 and had passed the first reading and was published on the 1st day of February, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on February 13, 2024, 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. 2024-03.

On roll call vote: Messrs. Carmichael, Espinosa, Lombardi, Rouse, Shah & Cahill answered yes.

The Clerk read for SECOND READING the following ORDINANCE: AN ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN LANDS OWNED BY THE TOWNSHIP OF PISCATAWAY PURSUANT TO N.J.S.A. 40A:12-13(b)

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b)(5), the Township is authorized to sell real property without any capital improvements thereon by a private sale to an owner of real property continuous to the Township's real property being sold; and

WHEREAS, the Township has determined to sell the real property identified as an approximately 40 foot wide by 100 foot deep parcel commonly known as 481 Park Avenue and designated as Block 11307, Lot 7.02 (portion) on the Tax Map of the Township of Piscataway ("the Property"), by way of private sale in accordance with N.J.S.A. 40A:12-13(b)(5) to a contiguous property owner; and

WHEREAS, the Township has determined that the Property is not needed for public use; and

WHEREAS, the Property is located in one of the Township's R-10 Residential Zones, and under the Township Municipal Zoning Ordinance the minimum lot area for development in that zone is 10,000 square feet, rendering the Property non-conforming; and

WHEREAS, the Township has previously retained Sterling, DiSanto & Associates to appraise the Property; and

WHEREAS, the appraisal of real estate for the Property dated November 28, 2023 indicates a fair market value of \$82,500.00; and

WHEREAS, the Township wishes to place a condition upon the sale; and

WHEREAS, the condition to be imposed will include that the Township will convey the Property by Deed subject to a 10.0 foot deep Permanent Easement along the entire Park Avenue frontage of the Property, for any and all municipal purposes, including but not limited to the right to install and/or repair or replace curbs, sidewalks, gutters, bike lanes, roadways, and appropriate drainage therefore, stormwater and

sanitary sewage facilities, and gas, electric, water supply and utility and communication systems; and

WHEREAS, there are only two contiguous owners of real property eligible to purchase the Property.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey as follows: Pursuant to N.J.S.A. 40A:12-13(b)(5), it is hereby determined that the Property is not needed for public use; is without any capital improvement thereon; and has a lot area less than the minimum size required for development under the Township's Municipal Zoning Ordinance.

Pursuant to N.J.S.A. 40A:12-13(b)(5), The Township of Piscataway is hereby authorized to sell the Property to an interested contiguous owner of real property to the Property for the appraised value of \$82,500.00, or any such higher qualified bid received.

The Assistant Township Attorney is hereby authorized to prepare a contract for the sale of the Property and the Mayor and Municipal Clerk are hereby authorized to execute said contract, as well as a Deed and all other customary closing documents to effectuate the sale of the Property.

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.

Ms. Cahill opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Ms. Cahill 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: AN ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN LANDS OWNED BY THE TOWNSHIP OF PISCATAWAY PURSUANT TO N.J.S.A. 40A:12-13(b)

was introduced on the 30th day of January, 2024 and had passed the first reading and was published on the 1st day of February, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on February 13, 2024, 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. 2024-04.

On roll call vote: Messrs. Carmichael, Espinosa, Lombardi, Rouse, Shah & Cahill answered yes.

The Clerk read for SECOND READING the following ORDINANCE: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,750,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Piscataway, in the County of Middlesex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$5,000,000, and further including the aggregate sum of \$250,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$4,750,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) Improvements to various road curbs, sidewalks and driveways, the ADA Ramp Program and Township-wide road improvements, including, but not limited to, South Randolphville Road, as more fully described on lists on file in the Office of the Clerk, which lists are hereby incorporated by reference as if set forth at length, and further including all work and materials necessary therefor and incidental thereto.	<u>\$2,000,000</u>	<u>\$1,900,000</u>	10 years
b) Various municipal building improvements Township-wide, including, but not limited to, design, building improvements and improvements to the heating, ventilation and air conditioning systems, as more fully described on a list on file in the Office of the Clerk, which list is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.	<u>\$3,000,000</u>	<u>\$2,850,000</u>	10 years
Total:	<u>\$5,000,000</u>	<u>\$4,750,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond

anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements; and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local

Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,750,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$115,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to



comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ms. Cahill opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Ms. Cahill opened the Meeting to the In-Person Attendees for Comments

There being no comments, the public portion was closed.

RESOLUTION offered by Ms. Carmichael seconded by Mr. Espinosa, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,750,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

was introduced on the 30th day of January, 2024 and had passed the first reading and was published on the 1st day of February, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on February 13, 2024, 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. 2024-05.

On roll call vote: Messrs. Carmichael, Espinosa, Lombardi, Rouse, Shah & Cahill answered yes.

The Clerk read for SECOND READING the following ORDINANCE: BOND ORDINANCE PROVIDING FOR CERTAIN IMPROVEMENTS RELATED TO THE ENERGY SAVINGS IMPROVEMENT PROGRAM OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$7,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$6,665,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (with not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The purpose described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Piscataway, in the County of Middlesex, New Jersey (the "Township") as a general improvement. For the improvements or purpose described in Section 3(a), there is hereby appropriated the sum of \$7,000,000, including the sum of \$335,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvements or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$6,665,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purpose for the financing of which the bonds are to be issued involve certain improvements related to the Township's energy saving improvement program, including but not limited to, the (i) acquisition and installation of electric vehicle charging stations throughout the Township; (ii) acquisition and installation of solar PV panels in various Township buildings; (iii) acquisition and installation of a microgrid and battery energy storage system located at the Public Safety Building; and (iv) improvements to the building envelope of various Township buildings, building automation systems and other related improvements, including work and materials necessary therefor and incidental thereto and further including related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purpose described in Section 3(a) of this bond ordinance is not a current expense. It is a purpose that the Township may lawfully undertake as a general

improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness of the improvements or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is at least 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$6,665,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$1,400,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary

market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ms. Cahill opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Ms. Cahill 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: BOND ORDINANCE PROVIDING FOR CERTAIN IMPROVEMENTS RELATED TO THE ENERGY SAVINGS IMPROVEMENT PROGRAM OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$7,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$6,665,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

was introduced on the 30th day of January, 2024 and had passed the first reading and was published on the 1st day of February, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on February 13, 2024, 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. 2024-06.

On roll call vote: Messrs. Carmichael, Espinosa, Lombardi, Rouse, Shah & Cahill answered yes.

The Clerk read for SECOND READING the following ORDINANCE: ENERGY SAVINGS OBLIGATION REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF ENERGY CONSERVATION IMPROVEMENTS, APPROPRIATING NOT TO EXCEED \$20,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$20,000,000 ENERGY SAVINGS OBLIGATION REFUNDING BONDS TO PROVIDE FOR SUCH IMPROVEMENTS

WHEREAS, the Township of Piscataway, in the County of Middlesex, New Jersey (the "Township") decided to investigate the implementation of an energy savings improvement program and arranged for the conduct of energy audits of the Township facilities, and the audits were conducted and delivered to the Township; and

WHEREAS, the Township determined to utilize competitive contracting pursuant to 40A:11-4.1 *et seq.* for the selection of an energy savings company ("ESCO") to assist the Township with the development and implementation of an energy savings plan; and

WHEREAS, the Township hired Schneider Electric Buildings America, Inc. ("Schneider Electric") to serve as its ESCO in accordance with the competitive contracting process, and Schneider Electric has worked with the Township to develop an energy savings plan; and

WHEREAS, the Township hired Harris Energy Solutions to verify the energy savings to be realized through the energy savings plan, and Harris Energy Solutions issued a report verifying the savings; and

WHEREAS, the energy savings plan and verification report were submitted to the Board of Public Utilities Office of Clean Energy (the "BPU") for their review, and the BPU reviewed and approved the plan on December 11, 2023; and

WHEREAS, by resolution, the Township Council approved the energy savings plan, and the energy savings plan was posted on Township's website and submitted to the BPU for posting on its website; and

WHEREAS, the Township has determined that the energy savings generated from reduced energy use from the program will be sufficient to cover the cost of the program's energy conservation measures set forth in the energy savings plan and, therefore, has determined to implement the plan pursuant to N.J.S.A. 40A:11-4.6 and to

finance the program through the issuance of energy savings obligations authorized as refunding bonds pursuant to N.J.S.A. 40A:11-4.6(c)(3); now, therefore,

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (with not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Township is hereby authorized to provide for energy conservation measures described in its approved energy savings plan and related work.

Section 2. In order to finance the cost of the improvements described in Section 1 hereof, negotiable energy savings obligation refunding bonds (the "Bonds") are hereby authorized to be issued, in one or more series, in the aggregate principal amount not to exceed \$20,000,000 pursuant to N.J.S.A. 40A:11-4.6(c)(3).

Section 3. An aggregate amount not exceeding \$250,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of the Bonds authorized herein.

Section 4. A supplemental debt statement has been prepared and filed in the office of the Clerk of the Township and in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey as required by law. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the amount of the Bond authorization set forth herein, but the debt is deductible from gross debt pursuant to N.J.S.A. 40A:2-52 and will not increase the net debt by the amount of obligations authorized herein.

Section 5. A certified copy of this energy savings obligation refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Chief Financial Officer as to the indebtedness to be financed by the issuance of the obligations authorized herein.

Section 6. The Chief Financial Officer and other appropriate representatives of the Township are hereby authorized to prepare such documents, to publish such notices and to take such other actions as are necessary or desirable to enable the Township to prepare for the sale and the issuance of the Bonds authorized herein.

Section 7. This bond ordinance shall take effect immediately after final adoption and endorsement of the consent of the Local Finance Board upon a certified copy of this ordinance as finally adopted.

Ms. Cahill opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Ms. Cahill 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 Mr. Rouse, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ENERGY SAVINGS OBLIGATION REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF ENERGY CONSERVATION IMPROVEMENTS, APPROPRIATING NOT TO EXCEED \$20,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$20,000,000 ENERGY SAVINGS OBLIGATION REFUNDING BONDS TO PROVIDE FOR SUCH IMPROVEMENTS

was introduced on the 30th day of January, 2024 and had passed the first reading and was published on the 1st day of February, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on February 13, 2024, 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. 2024-07.

On roll call vote: Messrs. Carmichael, Espinosa, Lombardi, Rouse, Shah & Cahill answered yes.

RESOLUTION #24-111

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 February 13, 2024 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION - Authorizing Return of Safety & Stabilization Guarantee – Block 4102, Lot 2 – 141 Circle Drive North - 21-PB-05/08.
- b. RESOLUTION – Authorizing Cancellation of Taxes Due to 100% Disabled Veteran Status – Block 302, Lot 79.
- c. RESOLUTION – Authorizing Award of Contract Through ESCNJ – 2024 Chrysler Pacifica Touring FWD – Nielsen Ford of Morristown, Inc. – Not to Exceed \$42,871.13.
- d. RESOLUTION – Authorizing Award of Contract Through ESCNJ – 2024 Henke Snowplow for Freightliner 108SD Packer – Trius, Inc. – Not to Exceed \$34,586.49.



- e. RESOLUTION – Authorizing Award of Contract Through Sourcewell – 2024 Caterpillar Backhoe – Foley Incorporated – Not to Exceed \$169,000.00.
- f. RESOLUTION – Authorizing Return of Performance Surety and Cash Bonds:
  - o Block 4102, Lot 2 – 141 Circle Drive North – 21-PB-05/08.
- g. RESOLUTION – Authorizing Award of Contract – In Need of Redevelopment Study for Block 3702, Lot 2 – 2 Hancock Road – 4Site Planning, LLC – Not to Exceed \$7,500.00.
- h. RESOLUTION – Authorizing a Multi-Party Utility Agreement and Developer’s Agreement – Block 3502, Lot 2.01 – 211 River Road.
- i. RESOLUTION – Authorizing Release of Engineering and Inspection Fees:
  - o Block 1701, Lot 2.03 – 4100 New Brunswick Avenue – 21-PB-46/47V.
  - o Block 8604, Lot 1 – 1401 Stelton Road – 21-PB-01/02V.
- j. RESOLUTION – Authorizing Project Acceptance, Final Change Order and Release of Retainage – New Market Lake Park Area Improvements – Phase V (Part II) – Jads Construction Company of New Jersey, Inc.
- k. RESOLUTION – Approval of 2024 Solicitors License – Kinnar Shah.
- l. RESOLUTION – Authorizing Award of Contract – 2025 Commercial Reassessment Inspections – Sterling DiSanto & Associates – Not to Exceed \$17,000.00.
- m. RESOLUTION – Authorizing Return of Soil Erosion/Sediment Control Bonds:
  - o Block 1401, Lot 15.10 – 2 Tucceri Court.
  - o Block 1401, Lot 15.02 – 3 Tucceri Court.
  - o Block 1401, Lot 15.09 – 4 Tucceri Court.
  - o Block 1401, Lot 15.03 – 5 Tucceri Court
  - o Block 1401, Lot 15.06 – 11 Tucceri Court.
- n. RESOLUTION – Authorizing Award of Contract Through ESCNJ – Irishtown Park – Baseball Field Rehabilitation (Warning Tracks) – JCW, Inc. d/b/a Natural Green Lawn Care – Not to Exceed \$26,536.00.
- o. RESOLUTION – Authorizing Award of Contract Through ESCNJ – 2024/2025 Turf Treatments and Vegetation Control - JCW, Inc. d/b/a Natural Green Lawn Care – Not to Exceed \$38,537.00 for 2024 and \$40,223.00 for 2025.
- p. MOTION – Accept Minutes – Council Meeting – November 28, 2023.
- q. MOTION – Accept Report of the Division of Revenue – January 2023.
- r. MOTION – Receive and Enter into Minutes Disbursements for the Month of January 2023.

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 February 13, 2024 Regular meeting and adopted by separate vote.

On roll call vote: Messrs. Carmichael, Espinosa, Lombardi, Rouse, Shah & Cahill answered yes

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

**RESOLUTION #24-112**

WHEREAS, Duke Realty Circle Drive Development LLC, East Rutherford, NJ, requests the release of a Performance Surety Bond in the amount of \$178,067.70 posted by Duke Realty Limited Partnership, Conshohocken, PA, with the Township of Piscataway on October 12, 2021, for improvements on Block 4102, Lot 2 (141 Circle Drive North) regarding Application #21-PB-05/08; and

WHEREAS, Duke Realty Circle Drive Development LLC, East Rutherford, NJ, requests the release of a Performance Cash Bond in the original amount of \$19,785.90, posted by Duke Realty Limited Partnership, Indianapolis, IN, with the Township of Piscataway on October 14, 2021, for improvements on Block 4102, Lot 2 (141 Circle Drive North) regarding Application #21-PB-05/08; and

WHEREAS, pursuant to a Request for Release of Funds dated December 20, 2023, and a letter from the Township Supervisor of Engineering dated January 19, 2024, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that all improvements required and covered have been satisfactorily installed, and recommends the release of the Surety and Cash Performance Bonds subject to the posting of the following three (3) two (2) year maintenance bonds:

Off-Site Improvements	\$8,079.30
On-Site Perimeter Buffer Landscaping	\$16,652.33
On-Site Storm Water Management System	\$80,129.48

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 \$178,067.70 to Duke Realty Limited Partnership, Conshohocken, PA, for improvements to Block 4102, Lot 2 (141 Circle Drive North) regarding Application #21-PB-05/08; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release a Performance Cash Bond in the amount of \$19,785.90, to Duke Realty Limited Partnership, Indianapolis, IN, for improvements to Block 4102, Lot 2 (141 Circle Drive North) regarding Application #21-PB-05/08; and

BE IT FURTHER RESOLVED that the release of both the Performance Surety and Cash Bonds shall be subject to Duke Realty Circle Drive Development LLC posting of the following three (3) two (2) year Maintenance Bonds: 1) for Off-Site Improvements in the amount of \$8,079.30, 2) for On-Site Perimeter Buffer Landscaping in the amount \$16,652.33, and 3) for On-Site Storm Management System in the amount of \$80,129.48 with the Township.

**RESOLUTION #24-113**

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

<b>BLOCK</b>	<b>LOT</b>	<b>NAME</b>	<b>YEAR</b>	<b>AMOUNT</b>	<b>REASON</b>
302	79	James Sinclair	2024	2,096.43	100% DISABLED VETERAN
302	79	James Sinclair	2024	2,805.50	100% DISABLED VETERAN

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 #24-114**

WHEREAS, the Township Assistant Director of Public Works has advised that the Township of Piscataway is in need of 2024 Chrysler Pacifica Touring FWD (the "Vehicle"); and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which

is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract for the Vehicle through the ESCNJ Co-op Bid # 23/24-11 to Nielsen Ford of Morristown, Inc., Morristown, NJ, in the amount not to exceed \$42,871.13; and

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

WHEREAS, funds are available pursuant to certification # R-2024-0038;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to award a contract for the 2024 Chrysler Pacifica Touring FWD through the ESCNJ Co-op Bid # 23/24-11 to Nielsen Ford of Morristown, Inc., Morristown, NJ, in the amount not to exceed \$42,871.13, subject to all bid specifications and contract documents.

RESOLUTION #24-115

WHEREAS, the Township Assistant Director of Public Works has advised that the Township of Piscataway is in need of 2024 Henke Snowplow for Freightliner 1085D Packer (the "Equipment"); and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract for the Equipment through the ESCNJ Co-op Bid # 23/24-04 to Trius, Inc., Farmingdale, NJ in the amount not to exceed \$34,586.49; and

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

WHEREAS, funds are available pursuant to certification # R-2024-0036;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to award a contract for the 2024 Henke Snowplow for Freightliner 1085D Packer through the ESCNJ Co-op Bid # 23/24-04 to Trius, Inc., Farmingdale, NJ in the amount not to exceed \$34,586.49, subject to all bid specifications and contract documents.

RESOLUTION #24-116

WHEREAS, the Township Assistant Director of Public Works has advised that the Township of Piscataway is in need of 2024 Caterpillar 432 Backhoe Loader (the "Equipment"); and

WHEREAS, pursuant to a Recommendation to Award Contract, a copy of which is attached hereto and made a part hereof, said Assistant Director of Public Works recommends awarding a contract for the Equipment through the Sourcewell National Co-op Contract # 011723-CAT to Foley Incorporated, Piscataway, NJ, in the amount not to exceed \$169,000.00; and

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

WHEREAS, funds are available pursuant to certification # R-2024-0037;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to award a contract for the 2024 Caterpillar 432 Backhoe Loader through the Sourcewell National Co-op Contract # 011723-CAT to Foley Incorporated, Piscataway, NJ, in the amount not to exceed \$169,000.00, subject to all bid specifications and contract documents.

RESOLUTION #24-117

WHEREAS, Duke Realty Circle Drive Development LLC, East Rutherford, NJ, requests the release of a Safety and Stabilization Guarantee Performance Surety Bond posted by Duke Realty Limited Partnership, Conshohocken, PA, in the amount of \$40,363.97, posted with the Township of Piscataway on October 14, 2021, for improvements on Block 4102, Lot 2 (141 Circle Drive North) regarding Application #21-PB-05/08; and

WHEREAS, pursuant to a Request for Release of Funds dated January 23, 2024, and a letter from the Township Supervisor of Engineering dated January 19, 2024, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that the site has been returned to a safe and stable condition, and recommends the release of the Safety and Stabilization Guarantee Performance Surety Bond; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release a Safety and Stabilization Guarantee Performance Surety Bond in the amount of \$40,363.97, to Duke Realty Limited Partnership, Conshohocken, PA, for improvements to Block 4102, Lot 2 (141 Circle Drive North) regarding Application #21-PB-05/08.

RESOLUTION #24-118

WHEREAS, the Township of Piscataway requires Professional Redevelopment Planning Services for the preparation of an In Need of Redevelopment Study for 2 Hancock Road (Block 3702 Lot 2) and Revisions to 10 Normandy Drive Redevelopment Plan, if necessary (the "Projects"); and

WHEREAS, 4Site Planning, LLC, has submitted a proposal for Professional Redevelopment Planning Services related to said Projects, a copy of which is attached hereto and made a part hereof ("Proposal"), with a cost not to exceed \$7,500.00; and

WHEREAS, 4Site Planning, LLC was previously qualified under the Fair and Open Process to provide professional services for Planning Services – Township Planner - Redevelopment by the Township of Piscataway for 2024; and

WHEREAS, there is funding available pursuant to certification # R-2024-0035;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize 4Site Planning, LLC, to provide Professional Redevelopment Planning Services for preparation of of an In Need of Redevelopment Study for 2 Hancock Road (Block 3702 Lot 2) and Revisions to 10 Normandy Drive Redevelopment Plan, if necessary at the rates set forth in said Proposal, with such services not to exceed \$7,500.00 in cost.

RESOLUTION #24-119

WHEREAS, Viamare, L.L.C., ("Viamare") is the owner of Lot 2.01, Block 3502 on the Piscataway Township ("Township") Tax Map, more commonly known 211 River Road, Piscataway, NJ, (the "Property"); and

WHEREAS, Viamare received various land development approvals from the Township Planning Board for the construction of an office building and bank use under Applications 07-PB-25 and 20-PB-12 ("Approvals"); and

WHEREAS, the Approvals include installation of a sanitary sewer connection utilizing a two (2) inch force main (the "Force Main") to connect to a sanitary sewer line located within the Township right-of-way of Ballas Lane; and

WHEREAS, the Township and Viamare wish to enter into a Developer's Agreement in order to define the parties' rights, obligations and other provisions in connection with the construction and maintenance of the sanitary sewer connection for the bank use; and

WHEREAS, the Township, Viamare, and the County of Middlesex ("County") also wish to enter into a Multi-Party Utility Agreement regarding said sanitary sewer line installation; and

WHEREAS, the Assistant Township Attorney has reviewed the Multi-Party Utility Agreement and the Developer's Agreement, a copies of which are attached hereto as Exhibit A and made a part hereof, and recommends execution of same; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials and the Mayor be and are hereby authorized to execute the attached Multi Party Utility Agreement and Developer's Agreement with Viamare, L.L.C. in regard to the development of the Property, as further described above, in substantially the same form attached hereto, with any modifications to be authorized by the Mayor on the advice of the Township Attorney.

#### RESOLUTION #24-120

WHEREAS, Brnsons, LLC Parlin, New Jersey, requests the release of Engineering and Inspection Fees in the original total amount of \$1,500.00, which was posted with the Township of Piscataway in the amounts of \$500.00 each on May 17, 2022, April 11, 2023 and June 23, 2023, regarding improvements for Block 8604, Lot 1 (1401 Stelton Road) in regard to Planning Board Application # 21-PB-01/02V; and

WHEREAS, pursuant to a Request for Release of Funds dated December 7, 2023 and a memorandum from the Township Supervisor of Engineering dated January 29, 2024, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that all inspections have been completed and recommends the release of the remaining Engineering and Inspection Fees; and

WHEREAS, ACMY, LLC, Piscataway, NJ, requests the release of Engineering and Inspection Fees in the original amount of \$7,119.83, which was posted with the Township of Piscataway on March 23, 2023, regarding improvements for Block 1701, Lot 2.03 (4100 New Brunswick Avenue) in regard to Planning Board Application # 21-PB-46/47V; and

WHEREAS, pursuant to a Request for Release of Funds dated January 25, 2024, and a letter from the Township Supervisor of Engineering dated January 30, 2024, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that all inspections have been completed and recommends the release of the remaining Engineering and Inspection Fees; 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 Engineering and Inspection Fees in the amount of \$609.57 to Brnsons, LLC, Parlin, NJ regarding improvements for Block 8604, Lot 1 (1401 Stelton Road) in regard to Planning Board Application # 21-PB-01/02V; 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 Engineering and Inspection Fees in the amount of \$5,603.14 to ACMY LLC Piscataway, NJ, regarding improvements for Block 1701, Lot 2.03 (4100 New Brunswick Avenue) in regard to Planning Board Application # 21-PB-46/47V.

RESOLUTION #24-121

WHEREAS, JADS Construction, South River, NJ (“JADS”) entered into an agreement with the Township of Piscataway for the New Market Lake Park Area Improvements – Phase V (Part II), (the “Project”) where JADS would complete the project, in the amount not to exceed \$475,847.00; and

WHEREAS, as specified in the Change Order Form signed by the Supervisor of Engineering of the Township of Piscataway dated February 5, 2024, a copy of which is attached hereto and made a part hereof, there is an increase in the Contract Quantities needed by the Township of Piscataway (“Township”) for JADS; and

WHEREAS, this change order would represent a \$18,559.00, increase in the amount of the contract from the previous total for a final cost not to exceed \$494,406.00, a 3.90% increase from the original contract amount; and

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

WHEREAS, pursuant to a Memorandum, dated February 5, 2024, from the Township Landscape Architect, said Township Landscape Architect recommends that the Township approve the Final Change Order Request, accept the Project and release the retainage in the amount of \$9,888.12 as JADS has already posted a two (2) year maintenance bond in the amount of \$49,440.60; 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 amend the total contract amount for the Project with JADS Construction, South River, NJ, from \$475,847.00, to a final total not to exceed \$494,406.00, and execute the enclosed Final Change Order in the amount of a \$18,559.00 increase, subject to all bid specifications and contact documents; 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 accept the Project and return retainage funds to JADS Construction, South River, NJ in the amount of \$9,888.12, as it pertains to the New Market Lake Park Area Improvements – Phase V (Part II).

RESOLUTION #24-122

WHEREAS, Kinnar Shah has applied with the Township of Piscataway for a 2024 Solicitors License; and

WHEREAS, pursuant to the letter of the Piscataway Township Police Department dated January 25, 2024, a copy of which is attached hereto and made a part hereof, the Piscataway Township Police Department recommends the approval of a 2024 Solicitors License to Kinnar Shah; 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 2024 Solicitors License to Kinnar Shah.

RESOLUTION #24-123

WHEREAS, the Township of Piscataway (the “Township”) previously qualified Sterling DiSanto & Associates, Somerville, NJ, for Commercial Reassessment Inspections for a term from January 1, 2023 to December 31, 2025 under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4, et seq.; and

WHEREAS, the Township wishes to award the one (1) year contract in the amount not to exceed \$17,000.00 for the 2025 Commercial Reassessment Inspections

to Sterling DiSanto & Associates, Somerville, NJ, for a term from January 1, 2024 to December 31, 2024; and

WHEREAS, there is funding available pursuant to certification # R-2024-0039;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Sterling DiSanto & Associates, Somerville, NJ, to provide 2025 Commercial Reassessment Inspections at the rates set forth in their proposal, with such services not to exceed \$17,000.00.

**RESOLUTION #24-124**

WHEREAS, on March 2, 2023, Christopher T. Emmet Jr., d/b/a Kilmainham Builders II LLC, Warren, NJ, posted two (2) checks with the Township of Piscataway in the amount of \$1,000.00 each for a Soil Erosion / Landscaping Bond for Block 1401, Lot 15.03, Zoning Board # 18-ZB-32/33/34 (5 Tuccheri Court); and

WHEREAS, pursuant to a Request for Release of Funds dated January 17, 2024 and a Memorandum from the Township Supervisor of Engineering dated January 23, 2024, the Township Engineering Division approved the release of the Soil Erosion / Landscaping Bond in the amount of \$2,000.00 to Christopher T. Emmet Jr., d/b/a Kilmainham Builders II LLC, Warren, NJ; and

WHEREAS, on March 6, 2023, Christopher T. Emmet Jr., d/b/a Kilmainham Builders II LLC, Warren, NJ, posted a check with the Township of Piscataway in the amount of \$2,000.00 for a Soil Erosion / Landscaping Bond for Block 1401, Lot 15.02, Zoning Board # 18-ZB-32/33/34 (3 Tuccheri Court); and

WHEREAS, pursuant to a Request for Release of Funds dated January 17, 2024 and a Memorandum from the Township Supervisor of Engineering dated January 23, 2024, the Township Engineering Division approved the release of the Soil Erosion / Landscaping Bond in the amount of \$2,000.00 to Christopher T. Emmet Jr., d/b/a Kilmainham Builders II LLC, Warren, NJ; and

WHEREAS, on March 6, 2023, Christopher T. Emmet Jr., d/b/a Kilmainham Builders II LLC, Warren, NJ, posted a check with the Township of Piscataway in the amount of \$2,000.00 for a Soil Erosion / Landscaping Bond for Block 1401, Lot 15.09, Zoning Board # 18-ZB-32/33/34 (4 Tuccheri Court); and

WHEREAS, pursuant to a Request for Release of Funds dated January 17, 2024 and a Memorandum from the Township Supervisor of Engineering dated January 23, 2024, the Township Engineering Division approved the release of the Soil Erosion / Landscaping Bond in the amount of \$2,000.00 to Christopher T. Emmet Jr., d/b/a Kilmainham Builders II LLC, Warren, NJ; and

WHEREAS, on June 1, 2023, Christopher T. Emmet Jr., d/b/a Kilmainham Builders II LLC, Warren, NJ, posted a check with the Township of Piscataway in the amount of \$2,000.00 for a Soil Erosion / Landscaping Bond for Block 1401, Lot 15.06, Zoning Board # 18-ZB-32/33/34 (11 Tuccheri Court); and

WHEREAS, pursuant to a Request for Release of Funds dated January 17, 2024 and a Memorandum from the Township Supervisor of Engineering dated January 23, 2024, the Township Engineering Division approved the release of the Soil Erosion / Landscaping Bond in the amount of \$2,000.00 to Christopher T. Emmet Jr., d/b/a Kilmainham Builders II LLC, Warren, NJ; and

WHEREAS, on January 19, 2023, Christopher T. Emmet Jr., d/b/a Kilmainham Builders II LLC, Warren, NJ, posted two (2) checks with the Township of Piscataway in the amount of \$1,000.00 each for a Soil Erosion / Landscaping Bond for Block 1401, Lot 15.10, Zoning Board # 18ZB-32/33/34 (2 Tuccheri Court); and

WHEREAS, pursuant to a Request for Release of Funds dated January 17, 2024 and a Memorandum from the Township Supervisor of Engineering dated January 23, 2024, the Township Engineering Division approved the release of the Soil Erosion / Landscaping Bond in the amount of \$2,000.00 to Christopher T. Emmet Jr., d/b/a Kilmainham Builders II LLC, Warren, NJ; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release Soil Erosion / Landscaping Bonds to Christopher T. Emmet Jr., d/b/a Kilmainham Builders II LLC, Warren, NJ, in the amounts of \$2,000.00 regarding Block 1401, Lot 15.03 (5 Tucceri Court); \$2,000.00 regarding Block 1401, Lot 15.02 (3 Tucceri Court); \$2,000.00 regarding Block 1401, Lot 15.09 (4 Tucceri Court); \$2,000.00 regarding Block 1401, Lot 15.06 (11 Tucceri Court); and \$2,000.00 regarding Block 1401, Lot 15.10 (2 Tucceri Court) all regarding Zoning Board # 18-ZB-32/33/34.

RESOLUTION #24-125

WHEREAS, the Township Landscape Architect has advised that the Township is in need of the Irishtown Park Baseball Field Warning Track Rehabilitation (the "Rehabilitation"); and

WHEREAS, pursuant to the Bid Recommendation dated February 8, 2024, a copy of which is attached hereto and made apart hereof, said Township Landscape Architect recommends awarding a contract for the Rehabilitation to JCW, Inc. dba Natural Green Lawn Care ("JCW"), Bridgewater, NJ, through ESCNJ Cooperative Bid # 19/20-10, in an amount not to exceed \$26,536.00.

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, there is funding available pursuant to certification # B-2024-005;

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 JCW, Inc. dba Natural Green Lawn Care, Bridgewater, NJ, for the Irishtown Park Baseball Field Warning Track Rehabilitation, in the amount not to exceed \$26,536.00, through ESCNJ Cooperative Bid # 19/20-10.

RESOLUTION #24-126

WHEREAS, the Township Landscape Architect has advised that the Township is in need of 2024-2025 Turf Treatments and Vegetation Control (the "Turf Treatments"); and

WHEREAS, the Township Landscape Architect recommends an award of a two (2) year contract to JCW, Inc., d/b/a Natural Green Lawn Care, ("JCW") Bridgewater, NJ, in the amount of \$38,537.00 for year 2024 and \$40,223.00 for year 2025, for a total amount of \$78,760.00 under ESCNJ Cooperative Bid #20/21-49; 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, there is funding available pursuant to certification # B-2024-004;

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 two (2) year contract with JCW, Inc. dba Natural Green Lawn Care, Bridgewater, NJ, for the 2024-2025 Turf Treatments and Vegetation Control, , in the amount of \$38,537.00 for year 2024 and \$40,223.00 for year 2025, for a total



amount of \$78,760.00 under ESCNJ Cooperative Bid #20/21-49.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

- Councilwoman Carmichael wishes all residents a Happy Valentine's Day and reminds residents to vote in the Fire Election.
- Councilman Espinosa says he hopes those that celebrate had a happy Lunar New Year.
- Councilwoman Lombardi also wishes residents a happy Lunar New Year and reiterates Councilwoman Carmichael's comment about the upcoming election. She also thanks DPW for all of their hard work in clearing the streets of the snow.
- Councilman Shah also says the DPW did a great job clearing the snow.
- Councilman Uhrin offers his condolences to the family of Marques Hudson.
- Mayor Brian Wahler gives his condolences to Al Brown's family. He also thanks the residents for cooperating with DPW as they worked to clear the roads of the snow. He wishes all those who celebrate a nice start to the religious holy season.
- Council President Cahill reiterates all the comments of her fellow Council Members.

The Council considered the matters on the Agenda for March 5, 2024:

- ORDINANCE – SECOND READING – An Ordinance Releasing, Extinguishing, and Vacating the Rights of the Public in Portions of Clawson Street, Brook Avenue and Field Avenue – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- RESOLUTION – Authorizing Acceptance of Project and Release of Retainage – Justice Street Roadway Improvements – S Brothers, Inc.
- RESOLUTION – Authorizing Refund of Overpayment – Police Department.
- RESOLUTION – Authorizing Return of Maintenance Bonds:
  - Block 12801, Lot 4 – 1421 River Road – 11-ZB-54/55V
  - Block 5101, Lot 1.01 & 4.02 – 6 Corporate Place and 5 Access Road – 15-PB-06/07V/09 – Off-Site Improvements, Perimeter Buffer Landscaping and On-Site Stormwater Management System.
- RESOLUTION – Authorizing Return of Sterling Village Security Deposit and Payment of Arrears to the Township of Piscataway - Apt. 410.
- RESOLUTION – Designating Clawson RP Owner, LLC as Redeveloper and Authorizing Redevelopment Agreement.
- RESOLUTION – Authorizing Signing Grant Application and Agreement with DCA for Ecological Park.
- RESOLUTION – Authorizing Cancellation of Taxes – 100% Exempt – Block 9902, Lot 15.02.
- RESOLUTION – Authorizing Return of Street Opening Bond:
  - Block 906, Lot 17.02 – 416 Victoria Avenue.
  - Block 12204, Lot 26 – 498 Blue Ridge Avenue.
- RESOLUTION – Authorizing Return of Escrow:
  - Block 734.01, Lot 51.01 & 51.02 – 41 & 51 Suttons Lane – 02-PB-33/41V.
  - Block 7501, Lot 27.03 – 505 Sidney Road – Administrative Review.
- MOTION – Accept Report of Clerk's Account – January 2023.

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, continues his story from last meeting about an interaction he had with a police officer years ago. He also complains about the townships property maintenance.

The following residents ask for speed bumps/safety measures to be taken on their street due to accidents and speeding that have been occurring. They also present the findings of a survey that they distributed to residents of the street.

- Sarah Rashid, 618 Buckingham Drive
- Amena Lewis, 594 Buckingham Drive
- Tang, 598 Buckingham Drive
- Cynthia Wong, 563 Buckingham Drive
- Zeff Lewis, 594 Buckingham Drive
- Litian, 562 Buckingham Drive (she also asks about how to obtain a police report for an incident that occurred on their street)
- Rachel Chen, Buckingham Drive
- Viran Patel, 590 Buckingham Drive

Township Attorney, Rajvir Goomer, advises Litian on how she can obtain the police report that she is looking for.

Mayor Brian Wahler says that he will be more than happy to set up a meeting with the Deputy Chief of Police and the Lieutenant from the Traffic Safety Division to talk about their concerns.

Councilwoman Lombardi thanks the residents for coming out and speaking about their concerns.

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

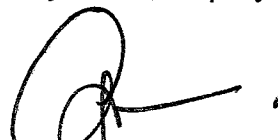
There being no further business to come before the council, the meeting was adjourned at 8:22pm. Motion by Mr. Espinosa, seconded by Ms. Lombardi, carried unanimously.

Respectfully submitted,



Kelly Mitch, Deputy Township Clerk

Accepted: *JUNE 6, 2024*



Gabrielle Cahill  
Council President