

December 10, 2024

A Regular Meeting of the Piscataway Township Council was held on December 10, 2024 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by Council Vice President Espinosa at 7:30 p.m.

Mr. Espinosa 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, Lombardi, Rouse, Shah, Uhrin & Espinosa.

Mr. Espinosa led the salute to the flag.

Mr. Espinosa 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. Espinosa 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.

Mayor Brian Wahler read the following proclamation:

**PROCLAMATION:**

Whereas, Angus Kress Gillespie, Ph.D., esteemed Professor at Rutgers University, has dedicated his career to the advancement of knowledge, cultural understanding, and social justice through his teaching, research, and community engagement; and

Whereas, Dr. Gillespie has significantly contributed to the academic field of American Studies by offering invaluable insights into local history and folklore, inspiring countless students and scholars to explore historic figures and contemporary issues such as urban legends and conspiracy theories; and

Whereas, through his five decades as a faculty member at Rutgers University, Professor Gillespie has not only shaped the minds of future leaders but also advanced the university's commitment to academic excellence, interdisciplinary studies, and the enrichment of its academic community; and

Whereas, in 1975, Professor Gillespie established the New Jersey Folk Festival which is the oldest continuously run folk festival in the state attracting thousands of people each year; and

Whereas, through the festival's free and diverse performances and his numerous academic and literary publications, his legacy will continue to have a lasting impact on the academic community at Rutgers University and beyond.

Now, therefore, be it resolved, that I, Brian C. Wahler, Mayor of the Township of Piscataway, County of Middlesex, State of New Jersey, in recognition of his distinguished contributions to the New Jersey Folk Festival, higher education and the university community and beyond, do hereby honor

Angus Kress Gillespie

for his outstanding dedication and contributions to the rich and diverse fabric of our community.

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT SIDEWALKS ON THE SUTTONS LANE FRONTAGE OF BLOCK 9601 LOT 107.03 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, AS PERMITTED UNDER N.J.S.A. 40:65-1.

WHEREAS, the Township of Piscataway (the "Township") seeks to provide for the construction and repair of sidewalks within the municipality as permitted by N.J.S.A. 40:65-1 et seq.; and

WHEREAS, the Township is permitted to proceed with the installation and repair of said sidewalk improvements to be wholly paid by the owners of the real estate abutting or directly in front of which the improvement is made pursuant to N.J.S.A. 40:65-6; and

WHEREAS, the Township seeks to proceed with proposed sidewalk improvements upon the frontage of BLOCK 9601 LOT 107.03 of the Township of Piscataway, along the entire length of the SUTTONS LANE frontage (the "Properties" or "Property"), in order to install and improve sidewalks; and

WHEREAS, pursuant to N.J.S.A. 40:65-2, the Township wishes to allow the owners of the Properties to complete said improvements, pursuant to the Township's specifications and requirements, within thirty (30) days after service of this Ordinance to the Property owners at the Property owners' sole cost; and

WHEREAS, if the owners of the Properties do not complete said improvements within the thirty (30) days, the Township shall perform the construction necessary to complete the installation and improvement of sidewalks on the Properties using a procedure set forth in the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., as permitted under N.J.S.A. 40:65-11; and

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that sidewalks shall be constructed along the SUTTONS LANE frontage of BLOCK 9601 LOT 107.03 at the sole cost of the owners of the Properties; and

BE IT FURTHER ORDAINED that upon adoption of this Ordinance, if the Township completes said improvements, the Township Engineering Department shall be kept apprised of an accurate account of the costs undertaken thereof while making the local improvements upon the Properties; and

BE IT FURTHER ORDAINED that upon completion of the installation of sidewalks upon the Properties, the Township Engineering Department shall file reports under the seal of the Township Clerk to be examined and confirmed by the governing body, who shall then file said reports with the Township Tax Assessor for proper

recording of the special assessment against the Properties as required by N.J.S.A. 40:65-8.

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

There being no comments, the public portion was closed.

Mr. Espinosa 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 TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT SIDEWALKS ON THE SUTTONS LANE FRONTAGE OF BLOCK 9601 LOT 107.03 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, AS PERMITTED UNDER N.J.S.A. 40:65-1.

was introduced on the 26<sup>th</sup> day of November 2024 and had passed the first reading and was published on the 2<sup>nd</sup> day of December 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 10, 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. 2024-31.

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

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT SIDEWALKS ON THE OLD NEW BRUNSWICK ROAD FRONTAGE OF BLOCK 4503 LOTS 1.08, 1.09, AND 1.16 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, AS PERMITTED UNDER N.J.S.A. 40:65-1.

WHEREAS, the Township of Piscataway (the "Township") seeks to provide for the construction and repair of sidewalks within the municipality as permitted by N.J.S.A. 40:65-1 et seq.; and

WHEREAS, the Township is permitted to proceed with the installation and repair of said sidewalk improvements, including but not limited to the removal of any existing sidewalk, to be wholly paid by the owners of the real estate abutting or directly in front of which the improvement is made pursuant to N.J.S.A. 40:65-6; and

WHEREAS, the Township seeks to proceed with proposed sidewalk improvements upon the frontage of BLOCK 4503 LOTS 1.08, 1.09, AND 1.16 of the Township of Piscataway, along the entire length of the OLD NEW BRUNSWICK ROAD frontage (the "Properties" or "Property"), in order to install and improve sidewalks; and

WHEREAS, pursuant to N.J.S.A. 40:65-2, the Township wishes to allow the owners of the Properties to complete said improvements, pursuant to the Township's specifications and requirements, within thirty (30) days after service of this Ordinance to the Property owners at the Property owners' sole cost; and

WHEREAS, if the owners of the Properties do not complete said improvements within the thirty (30) days, the Township shall perform the construction necessary to complete the installation and improvement of sidewalks on the Properties using a procedure set forth in the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., as permitted under N.J.S.A. 40:65-11; and

BE IT THEFEFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that sidewalks shall be constructed along the OLD NEW BRUNSWICK ROAD frontage of BLOCK 4503 LOTS 1.08, 1.09, AND 1.16 at the sole cost of the owners of the Properties; and

BE IT FURTHER ORDAINED that upon adoption of this Ordinance, if the Township completes said improvements, the Township Engineering Department shall be kept apprised of an accurate account of the costs undertaken thereof while making the local improvements upon the Properties; and

BE IT FURTHER ORDAINED that upon completion of the installation of sidewalks upon the Properties, the Township Engineering Department shall file reports under the seal of the Township Clerk to be examined and confirmed by the governing body, who shall then file said reports with the Township Tax Assessor for proper recording of the special assessment against the Properties as required by N.J.S.A. 40:65-8.

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

There being no comments, the public portion was closed.

Mr. Espinosa 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. Rouse, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT SIDEWALKS ON THE OLD NEW BRUNSWICK ROAD FRONTAGE OF BLOCK 4503 LOTS 1.08, 1.09, AND 1.16 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, AS PERMITTED UNDER N.J.S.A. 40:65-1.

was introduced on the 26<sup>th</sup> day of November 2024 and had passed the first reading and was published on the 2<sup>nd</sup> day of December 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 10, 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. 2024-32.

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

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT SIDEWALKS ON THE ELEVENTH STREET FRONTAGE OF BLOCK 811 LOTS 1.01 & 20.01, AND BLOCK 805 LOT 31, AND BLOCK 812 LOTS 1.01, 5.01, 16.02, 31.01, 33.01, 37.01, AND BLOCK 813 LOT 1.04, 1.05, 10.02 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, AS PERMITTED UNDER N.J.S.A. 40:65-1.

WHEREAS, the Township of Piscataway (the "Township") seeks to provide for the construction and repair of sidewalks within the municipality as permitted by N.J.S.A. 40:65-1 et seq.; and

WHEREAS, the Township is permitted to proceed with the installation and repair of said sidewalk improvements to be wholly paid by the owners of the real estate abutting or directly in front of which the improvement is made pursuant to N.J.S.A. 40:65-6; and

WHEREAS, the Township seeks to proceed with proposed sidewalk improvements upon the frontage of BLOCK 811 LOTS 1.01 & 20.01, AND BLOCK 805 LOT 31, AND BLOCK 812 LOTS 1.01, 5.01, 16.02, 31.01, 33.01, 37.01, AND BLOCK 813 LOT 1.04, 1.05, 10.02 of the Township of Piscataway, along the entire length of the ELEVENTH STREET frontage (the "Properties" or "Property"), in order to install and improve sidewalks; and

WHEREAS, pursuant to N.J.S.A. 40:65-2, the Township wishes to allow the owners of the Properties to complete said improvements, pursuant to the Township's specifications and requirements, within thirty (30) days after service of this Ordinance to the Property owners at the Property owners' sole cost; and

WHEREAS, if the owners of the Properties do not complete said improvements within the thirty (30) days, the Township shall perform the construction necessary to complete the installation and improvement of sidewalks on the Properties using a procedure set forth in the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., as permitted under N.J.S.A. 40:65-11; and

BE IT THEFEFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that sidewalks shall be constructed along the ELEVENTH STREET frontage of BLOCK 811 LOTS 1.01 & 20.01, AND BLOCK 805 LOT 31, AND BLOCK 812 LOTS 1.01, 5.01, 16.02, 31.01, 33.01, 37.01, AND BLOCK 813 LOT 1.04, 1.05, 10.02 at the sole cost of the owners of the Properties; and

BE IT FURTHER ORDAINED that upon adoption of this Ordinance, if the Township completes said improvements, the Township Engineering Department shall be kept apprised of an accurate account of the costs undertaken thereof while making the local improvements upon the Properties; and

BE IT FURTHER ORDAINED that upon completion of the installation of sidewalks upon the Properties, the Township Engineering Department shall file reports under the seal of the Township Clerk to be examined and confirmed by the governing body, who shall then file said reports with the Township Tax Assessor for proper recording of the special assessment against the Properties as required by N.J.S.A. 40:65-8.

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

There being no comments, the public portion was closed.

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

There being no comments, the public portion was closed.

RESOLUTION offered by Mr. Uhrin seconded by Mr. Shah, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT SIDEWALKS ON THE ELEVENTH STREET FRONTAGE OF BLOCK 811 LOTS 1.01 & 20.01, AND BLOCK 805 LOT 31, AND BLOCK 812 LOTS 1.01, 5.01, 16.02, 31.01, 33.01, 37.01, AND BLOCK 813 LOT 1.04, 1.05, 10.02 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, AS PERMITTED UNDER N.J.S.A. 40:65-1.

was introduced on the 26th day of November 2024 and had passed the first reading and was published on the 2nd day of December 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 10, 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. 2024-33.

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

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT SIDEWALKS ON THE CENTENNIAL AVENUE FRONTAGE OF BLOCK 6701 LOTS 2, 3.01, 3.02 AND BLOCK 6702 LOT 1.01 AND BLOCK 6703 LOTS 5, 6.07, 6.08, 6.09, 7, AND BLOCK 4001 LOTS 3.01, 4, 5, AND BLOCK 6102 LOT 1.01 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, AS PERMITTED UNDER N.J.S.A. 40:65-1.

WHEREAS, the Township of Piscataway (the "Township") seeks to provide for the construction and repair of sidewalks within the municipality as permitted by N.J.S.A. 40:65-1 et seq.; and

WHEREAS, the Township is permitted to proceed with the installation and repair of said sidewalk improvements to be wholly paid by the owners of the real estate abutting or directly in front of which the improvement is made pursuant to N.J.S.A. 40:65-6; and

WHEREAS, the Township seeks to proceed with proposed sidewalk improvements upon the frontage of BLOCK 6701 LOTS 2, 3.01, 3.02 AND BLOCK 6702 LOTS 1.01 AND BLOCK 6703 LOTS 5, 6.07, 6.08, 6.09, 7, AND BLOCK 4001 LOTS 3.01, 4, 5, AND BLOCK 6102 LOT 1.01 of the Township of Piscataway, along the entire length of the Centennial Avenue frontage (the "Properties" or "Property"), in order to install and improve sidewalks; and

WHEREAS, pursuant to N.J.S.A. 40:65-2, the Township wishes to allow the owners of the Properties to complete said improvements, pursuant to the Township's specifications and requirements, within thirty (30) days after service of this Ordinance to the Property owners at the Property owners' sole cost; and

WHEREAS, if the owners of the Properties do not complete said improvements within the thirty (30) days, the Township shall perform the construction necessary to complete the installation and improvement of sidewalks on the Properties using a procedure set forth in the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., as permitted under N.J.S.A. 40:65-11; and

BE IT THEFEOFRE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that sidewalks shall be constructed along the Centennial Avenue frontage of BLOCK 6701 LOTS 2, 3.01, 3.02 AND BLOCK 6702 LOTS 1.01 AND BLOCK 6703 LOTS 5, 6.07, 6.08, 6.09, 7, AND BLOCK 4001 LOTS 3.01, 4, 5, AND BLOCK 6102 LOT 1.01 at the sole cost of the owners of the Properties; and

BE IT FURTHER ORDAINED that upon adoption of this Ordinance, if the Township completes said improvements, the Township Engineering Department shall be kept apprised of an accurate account of the costs undertaken thereof while making the local improvements upon the Properties; and

BE IT FURTHER ORDAINED that upon completion of the installation of sidewalks upon the Properties, the Township Engineering Department shall file reports under the seal of the Township Clerk to be examined and confirmed by the governing body, who shall then file said reports with the Township Tax Assessor for proper recording of the special assessment against the Properties as required by N.J.S.A. 40:65-8.

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

There being no comments, the public portion was closed.

Mr. Espinosa 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. Carmichael, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE TO PROVIDE FOR THE CONSTRUCTION OF LOCAL IMPROVEMENT SIDEWALKS ON THE CENTENNIAL AVENUE FRONTAGE OF BLOCK 6701 LOTS 2, 3.01, 3.02 AND BLOCK 6702 LOT 1.01 AND BLOCK 6703 LOTS 5, 6.07, 6.08, 6.09, 7, AND BLOCK 4001 LOTS 3.01, 4, 5, AND BLOCK 6102 LOT 1.01 ON THE TOWNSHIP OF PISCATAWAY TAX MAP, AS PERMITTED UNDER N.J.S.A. 40:65-1.

was introduced on the 26th day of November 2024 and had passed the first reading and was published on the 2nd day of December 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 10, 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. 2024-34.

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

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY IDENTIFIED AS BLOCK 11319, LOT 9.01 IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY FOR PUBLIC USE PURSUANT TO N.J.S.A. 20:3-1, ET SEQ.

WHEREAS, the Township of Piscataway (the "Township") wishes to acquire property located at 550 Hoes Lane for public use; and

WHEREAS, the property known as Block 11319, Lot 9.01 (the "Property") on the Tax Map of the Township of Piscataway, commonly known as 550 Hoes Lane, is desired by the Township to be used for public purpose; and

WHEREAS, the Township wishes to exercise its rights pursuant to N.J.S.A. 20:3-1 et seq.; and

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

- A. The Township is authorized to engage in good faith negotiations with the owners of the Property.
- B. The Township is authorized to commence eminent domain and/or condemnation proceedings to acquire the Properties using the process approved in N.J.S.A. 20:3-1 et seq.
- C. The Mayor of the Township is duly authorized to execute any and all documents and affidavits related to the legal proceedings involved in acquiring the Property.
- D. 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 in the Property, either by negotiation or by instituting action by exercising the Township's right of eminent domain (condemnation).
- 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 acquisition, whether by negotiation or eminent domain proceedings, and to pay said consultants and experts a reasonable fee for their services.

- F. The Township Council of the Township of Piscataway authorizes the filing of a Declaration of Taking in relation to acquiring the Property as required under the applicable statute; and

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 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 immediately upon second reading, final passage and publication as required by law.

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

There being no comments, the public portion was closed.

Mr. Espinosa 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. Rouse, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY IDENTIFIED AS BLOCK 11319, LOT 9.01 IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY FOR PUBLIC USE PURSUANT TO N.J.S.A. 20:3-1, ET SEQ.

was introduced on the 26th day of November 2024 and had passed the first reading and was published on the 2nd day of December 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 10, 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. 2024-35.

On roll call vote: Messrs. Carmichael, Lombardi, Rouse, Shah, Uhrin & Espinosa 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(a)

WHEREAS, pursuant to N.J.S.A. 40A:12-13(a), the Township is authorized to sell real property, capital improvements, or personal property, or interests therein, not needed for public use by public sale at auction to the highest bidder; and



WHEREAS, the Township has determined to sell nine (9) subdivided lots at 551 and 595 Highland Avenue, designated as Block 11302, Lots 2.03 and 4 on the Tax Map of the Township of Piscataway (“the Property”), by way of public sale at auction in accordance with N.J.S.A. 40A:12-13(a); and

WHEREAS, the Township has determined that the Property is not needed for public use; 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 December 11, 2023 indicates a fair market value of One Million Three Hundred Thousand and Five Thousand dollars (\$1,305,000.00); and

WHEREAS, the minimum bid amount for the Property at auction shall be the fair market value of One Million Three Hundred Thousand and Five Thousand dollars (\$1,305,000.00); and

WHEREAS, the pursuant to N.J.S.A. 40A:12-13(a), the Township maintains the right to accept the highest bid or reject all of the bids.

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(a), it is hereby determined that the Property is not needed for public use; and

Pursuant to N.J.S.A. 40A:12-13(a), The Township of Piscataway is hereby authorized to sell the Property at public auction with a minimum bid amount of \$1,305,000.00, or any such higher qualified bid received or to reject all of the bids; and

The relevant Township Officials is hereby authorized to prepare all necessary documents to effectuate the sale of the Property at public auction; and

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; and

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; and

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

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

There being no comments, the public portion was closed.

Mr. Espinosa 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. Carmichael, 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(a)

was introduced on the 26th day of November 2024 and had passed the first reading and was published on the 2nd day of December 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 10, 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. 2024-36.

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

The Clerk read for SECOND READING the following ORDINANCE: ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XXIII (23), SEWERS AND WASTEWATER, AND CHAPTER XXXII (32), STORMWATER MANAGEMENT AND CONTROL

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 XXIII, Sewers and Wastewater, and Chapter XXXII, Stormwater Management and Control, of the Revised General Ordinances of the Township of Piscataway, regarding the revision of certain definitions and maintenance regulations; and

BE IT THEREFORE ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, Chapter XXIII, Sewers and Wastewater, and Chapter XXXII, Stormwater Management and Control of the Revised General Ordinances of the Township of Piscataway are hereby amended with additions shown in italics and deletions shown in brackets with text as follows, to be effective January 1, 2025:

CHAPTER XXIII  
SEWERS AND WASTEWATER

\* \* \*

23-2 CONNECTION FEE; SERVICE CHARGES.

23-2.1 Connection Fees.

a. A fee of [\$4,250] \$5,350 shall be paid by the owner of any residential real property for each direct or indirect connection with the sewerage system on which real property there originates or has originated sewage or other wastes which directly or indirectly have entered or may enter the sewerage system. In multiple dwellings, each residence unit shall be deemed a separate connection and shall pay a connection fee for each such dwelling unit.

b. Each nonresidential use, except as set forth in Subsection c below, shall be charged a minimum fee of [\$4,250] \$5,350 for each 2,905 cubic feet of estimated flow per quarter or major fraction thereof as determined by the Township Engineer based upon data and information supplied to the Township by the applicant and the results of any investigation or inquiry by the Township into actual meter readings or other available information regarding the estimated annual daily average flow for the proposed use.

c. Each nonresidential, social, civic or not-for-profit entity not substantially utilizing the premises on a daily or full-time basis shall be charged a connection fee of [~~\$4,250~~] \$5,350.

d. For any residential real property or for each residential unit in a multiple dwelling that are designated as affordable housing units, the cost of a connection fee shall be [~~\$2,125~~] \$2,675.

\* \* \*

23-2.3 Service Charges.

Subject to Subsection d below, the following fees shall be paid by the owner of real property for the use of services of the sanitary sewer system after direct or indirect connection therewith["]:

a. Residential users.

1. Private home, single-family: \$360 [298].
2. Private home, containing two, three or four individual dwelling units with separate kitchen facilities: number of dwelling units multiplied by \$360 [298].
3. Multiple dwellings, containing or comprising five or more individual dwelling units: number of dwelling units multiplied by \$360 [298].

\* \* \*

b. Commercial users. Subject to Subsections d and e below, a quarterly fee for all other structures or properties which generate sanitary sewerage and have a sewage flow not in excess of the equivalent of 2,275,000 gallons of domestic wastewater per quarter in a calendar year shall be determined based upon the applicable class and rate schedule as set forth below. All commercial properties containing multiple classes of business shall install water meters provided by New Jersey American Water for each individual unit, in order to allow the Township to accurately calculate service charges pursuant to the applicable class and rates. All commercial users that have multiple classes of business on a single water meter shall be charged at the highest rate of the applicable classes for that meter.

\* \* \*

2. The applicable rates shall be as follows:

Class	Rate/Gallons (100s)
1	[0.894433] 0.939155
2	[1.064498] 1.117723
3	[1.323136] 1.389293
4	[0.970082] 1.018586
5	[0.761756] 0.799844
6	[0.764115] 0.802321
7	[0.969937] 1.018434
8	[0.941986] 0.989085
9	[1.144903] 1.202148

\* \* \*

23-11.3 Township Not Responsible.

The Township shall not be responsible for maintaining any portion of the service lateral or fixtures or be responsible for leakages in any portion of the lateral between the

structure served and the curb area clean out or for damage done by sewer escaping therefrom; and the user shall, at all times, comply with applicable Township regulations with respect thereto and make changes therein required by reason of relocation of mains or otherwise.

*In the event that a blockage, leakage, break, or any malfunction occurs either in the main line or lateral line that is within the Township right of way and not in the area of responsibility of the user but can be demonstrably attributed to the action, inaction, negligence, or any deleterious act of the user, the Township can demand, at its discretion, reimbursement for any expenses incurred by the Township in its effort to repair the described damages. The cost shall be determined by the amount of time, equipment, and materials used to make the repairs. Labor costs shall be the actual hourly rate, including overtime rates, of the personnel used to do the work plus the benefits costs incurred by the Township for each employee. Equipment charges shall be at the most recent hourly rate provided for in the Federal Emergency Management Agency (FEMA) Schedule of Equipment Rates. All material costs used shall be the actual cost incurred by the Township.*

\* \* \*

CHAPTER XXXII  
STORMWATER MANAGEMENT AND CONTROL  
Article II Stormwater Management

\* \* \*

32-4. SCOPE AND PURPOSE.

- a. Policy Statement. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs [and low impact development (LID)] should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs [and LID] should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.
- b. Purpose. The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Section II.
- c. Applicability
  1. This ordinance shall be applicable to the following major developments:
    - a. Non-residential major developments *and redevelopment projects*; and
    - b. Aspects of residential major developments *and redevelopment projects* that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21 *et seq.*
  2. This ordinance shall also be applicable to all major developments undertaken by the Township of Piscataway.
  3. *Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference.*

\* \* \*

32-5. DEFINITIONS.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2, *incorporated herein by reference*:

#### CAFRA CENTERS, CORES OR NODES

*Means those areas within boundaries accepted by the Department pursuant to N.J.A.C. 7:8E-5B. [Means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.]*

#### CAFRA PLANNING MAP

*Means the geographic depiction of the boundaries for coastal Planning Areas, CAFRA centers, CAFRA Cores and CAFRA Nodes pursuant to N.J.A.C. 7:7E-5B.3. [Means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).]*

\* \* \*

#### COUNTY REVIEW AGENCY

*Means an agency designated by the [Board of County Commissioners] County Board of chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:*

1. A county planning agency or
2. A county water resource association created under N.J.S.A. 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

\* \* \*

#### DEVELOPMENT

*Means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement [enlarge-enlargement] of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.*

*In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A 4:1C-1 et seq.*

#### DISTURBANCE

*Means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not*

considered disturbance for the purposes of this definition.

**DRAINAGE AREA**

Means a geographic area within which, *stormwater runoff*, [stormwater,] sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

\* \* \*

**INFILTRATION**

*Means* the process by which water seeps into the soil from precipitation.

\* \* \*

**POLLUTANT**

Means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 et seq.)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

**PUBLIC ROADWAY OR RAILROAD**

*Means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.*

**PUBLIC TRANSPORTATION ENTITY**

*Means a Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c.90 (N.J.S.A. 40A: 11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction; or improvement of a public roadway or railroad.*

\* \* \*

**REGULATED MOTOR VEHICLE SURFACE**

Means any of the following, alone or in combination:

- a. *A net increase in motor vehicle surface; and/or [The total area of motor vehicle surface that is currently receiving water;]*
- b. *The total area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed. [A net increase in motor vehicle surface; and/or quality treatment either by vegetation or soil, by an existing stormwater*

management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.]

\*\*\*

#### STATE PLAN POLICY MAP

*Means* the geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

\*\*\*

#### STORMWATER MANAGEMENT *BASIN* [BMP]

*Means* an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management *basin* [BMP] may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

\*\*\*

#### URBAN REDEVELOPMENT AREA

*Means* previously developed portions of areas:

- a. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- b. Designated as CAFRA Centers, Cores or Nodes;
- c. Designated as Urban Enterprise Zones; and
- d. Designated as Urban Coordinating Council Empowerment Neighborhoods.

\*\*\*

#### 32-6. DESIGN AND PERFORMANCE STANDARDS FOR STORMWATER MANAGEMENT MEASURES.

- a. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
  1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90 and 16:25A.
  2. The minimum *design and performance* standards for groundwater recharge, stormwater runoff quality, and stormwater runoff quantity at N.J.A.C. 7:8-5.4, 5.5 and 5.6 shall be met by incorporating green infrastructure in accordance with N.J.A.C. 7:8-5.3.

\*\*\*

#### 32-8. CALCULATION OF STORMWATER RUNOFF AND GROUNDWATER RECHARGE

- a. Stormwater runoff shall be calculated in accordance with the following:
  1. The design engineer shall calculate runoff using one of the following methods:
    - (a) The USDA Natural Resources Conservation Service (NRCS)

methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55), dated June 1986,

*Table 5-5: Current Precipitation Adjustment Factors*

incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at: <https://www.nrcs.usda.gov/Internet/FSEDOCUMENTS/stelprdb1044171.pdf> or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873. [; or]

- (b) The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at: <http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>.]

\* \* \*

- b. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological and Water Survey website at: <https://www.nj.gov/dep/njgs/> [<https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>] or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

- c. *The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with (c)1 and 2 below:*
1. *The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at [https://hdsc.nws.noaa.gov/hdsc/pfds/pfds\\_map\\_cont.html?bkmrk=nj](https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj); and*
  2. *The applicant shall utilize Table 5-5 below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.*



County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Middlesex	1.00	1.01	1.03

- d. Table 5-6 below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service's Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in Table 5-6 below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5-6: Table 5-6: Future Precipitation Change Factors			
County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Middlesex	1.19	1.21	1.33

\*\*\*

32-10. Solids and Floatable Materials Control Standards

- a. Site design features identified under § 32-7f above, or alternative designs in accordance with 32-7g above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see § 32-10a2 below.

\*\*\*

2. The standard above does not apply:

- (a) Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
- (b) Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- (c) Where flows from the water quality design storm as specified in N.J.A.C. 7:8 *et seq.*, are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid

and floatable materials that could not pass through one of the following:

1. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
2. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

\* \* \*

### 32-11. SAFETY STANDARDS FOR STORMWATER MANAGEMENT BASINS.

- a. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management *basins* [BMPs]. This section applies to any new stormwater management *basin*. *Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference. [BMP.]*

\* \* \*

### 32-13. MAINTENANCE AND REPAIR

\* \* \*

- b. General Maintenance.

7. The *person* [party] responsible for maintenance identified under Section X.B.3 above shall perform all of the following requirements:
  - (a) maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
  - (b) evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
  - (c) retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by § 32-13b6 and 32-13b7 above.
  - (d) post a two year maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

\* \* \*

### 32-16. STORMWATER USER FEES ESTABLISHED.

*There shall be imposed a user fee, pursuant to §32-15.1b2, on each and every developed property in the Township, except Exempt Property as defined by the Clean Stormwater and Flood Reduction Act (P.L. 2019, c42). Said annual fee will be Seventy-Seven Dollars (\$77.00) per Equivalent Residential Unit (ERU).*

#### 32-16.1 Property classification for Stormwater User Fees

*It is hereby imposed upon each and every Developed Property except as provided below that is connected with, uses, or is benefited by the Stormwater Management System, either directly or indirectly, a User Fee for the use, benefit, operation, maintenance, repair, replacement and improvement of the Stormwater Management System.*

*The User Fee shall be calculated based on the amount of Impervious Surface Area on a Developed Property and divided by the Equivalent Residential Unit to determine the number of Equivalent Residential Units on the property. These units shall be rounded to the nearest 0.5 Equivalent Residential Unit with no Developed Property being billed less than 1.0 Equivalent Residential Unit. The User Fee charge for each property shall be determined by multiplying the number of Equivalent Residential Units by the Base Rate.*

- a. *The User Fee for an apartment-style condominium building (i.e. a condominium consisting of dwelling units above others) shall be charged in the same manner as an apartment building (i.e. accounting for all impervious surfaces of dwelling units and other common areas within the condominium) with the bill addressed to the homeowners' association or condominium association ("HOA"), as applicable. Bills in such instances shall not be addressed to individual unit owners of condominiums. In the event that an HOA is dissolved, extinguished or insolvent, or delinquent in payment of its User Fee for over 90 days, the individual unit owners shall be billed a prorated share of the User Fee charged to the HOA.*
- b. *Exempt Properties shall not be charged a User Fee*
- c. *Undeveloped Property shall not be charged a User Fee*

#### *32-16.2. Adjustments to Stormwater User Fees*

- a. *Within 6 months of the effective date of this Ordinance, the Utility shall develop and implement procedures by action of the governing body whereby Users of the Stormwater Management System may receive credit for onsite activities which reduce, retain, or treat stormwater runoff onsite. In establishing credits, the Utility shall at a minimum design the credits to:*
  - 1. *Provide a partial fee reduction in the form of a credit for any property that maintains and operates a stormwater management system that complies with the State and local stormwater management standards that were in place at the time the system was approved and that effectively reduces, retains, or treats stormwater onsite;*
  - 2. *An additional partial fee reduction in the form of a credit for any property which has installed and is operating and maintaining current stormwater best management practices that reduce, retain, or treat stormwater onsite which are approved by the municipality;*
  - 3. *An additional partial fee reduction in the form of a credit for any property which has installed and is operating and maintain green infrastructure that reduces, retains, or treats stormwater onsite and exceeds any requirements for green infrastructure that may be applicable to that property under any rule or regulation adopted by the Department of Environmental Protection or the local stormwater control ordinance.*
- b. *No credit in User Fees shall be granted based on age, race, tax status, gender, sexual preference, economic status or religion of the Property Owner, or any other conditions unrelated to the approximation of the proportionate contribution of stormwater runoff to the Stormwater Management System.*

#### *32-16.3 Property Owners to Pay Charges.*

*The owner of each lot or parcel, except Exempt Property, shall pay the stormwater user fees and charges as provided in this ordinance*

#### *32-16.4 Billing Procedures and Penalties for Late Payment.*

- a. *Rate and Collection Schedule. The stormwater user's fee must be set at a rate, and collected on a schedule, established by ordinance or resolution.*
- b. *Delinquent Bills. The stormwater user's fee shall be paid in person or by mail, and shall become delinquent as of 30 (thirty) days following the billing date. Any unpaid stormwater user's fee shall bear interest at the legal rate if it remains unpaid after 30 (thirty) days following the billing.*
- c. *Penalties for Late Payment. Stormwater user's fees draw the same interest*

from the time they become due as taxes upon real estate in the City, and have the same remedies for the collection thereof with interest, cost and penalties as it has by law for collection of taxes upon real estate. The municipality shall be entitled to recover attorney's fees incurred in collecting delinquent fees. Any charge due under this ordinance which shall not be paid may be recovered at law by the municipality.

13-16.5 Appeals of Fees.

- a. Generally. Any person who disagrees with the calculation of the stormwater user fee, as provided in this ordinance or resolution, or who seeks a stormwater user's fee adjustment based upon stormwater management practices, may appeal such fee determination to the Stormwater Utility within thirty (30) days from the date of the last bill containing stormwater user's fees charges. Any appeal shall be filed in writing and shall state the grounds for the appeal. The Stormwater Utility director may request additional information from the appealing party.
- b. Adjustments. Stormwater user's fee adjustment for stormwater management practices may be considered for: reductions in runoff volume including discharge to a non-City drainage system; and properly designed, constructed, and maintained existing retention facilities, i.e. evaporation and recharge. Based upon the information provided by the Utility and the appealing party, the Stormwater Utility shall make a final calculation of the stormwater drainage fee. The Stormwater Utility shall notify the parties, in writing, of its decision.

32-17. SEVERABILITY.

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Article III Private Storm Drain Inlet Retrofitting

32-18 PURPOSE.

The purpose of this article is to require retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township of Piscataway so as to protect the public health, safety and welfare, and to prescribe penalties for failure to comply.

32-18.1 WORD USAGE; DEFINITIONS.

- a. For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein, unless their use in the text of this article clearly demonstrates a different meaning. When no inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words, used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.
- b. As used in this article, the following terms shall have the meanings indicated:

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

Means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Township of Piscataway or other public body, and is designed and used for collecting and conveying stormwater. MS4s do not include combined sewer systems, which are sewer systems that are designed to carry

*sanitary sewage at all times and to collect and transport stormwater from streets and other sources.*

**PERSON**

*Means any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.*

**STORM DRAIN INLET**

*Means an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.*

**WATERS OF THE STATE**

*Means the ocean and its estuaries, all springs, streams and bodies of water or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.*

**32-19 MEETING DESIGN STANDARD REQUIRED.**

*No person in control of private property (except a residential lot with one single-family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstruction or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:*

- a. *Already meets the design standard below to control passage of solid and floatable materials; or*
- b. *Is retrofitted or replaced to meet the standard in 32-19 below prior to completion of the project.*

**32-20 DESIGN STANDARD ESTABLISHED.**

*Storm drain inlets identified in 32-18 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this section, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settle able solids. For exceptions to this standard see 32-19(c), below.*

a. Grates.

1. *Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under the grate:*

(a) *The New Jersey Department of Transportation (NJDOT) bicycle-safe grate which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or*

(b) *A different grate, if each individual clear space in that grate has an area of no more than 7.0 square inches, or is no greater than 0.5 inch access the smallest dimension.*

2. *Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, and grates of spaces bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas,*

*bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.*

- b. *Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than 7.0 square inches, or be no greater than 2.0 inches across the smallest dimension.*
- c. *This standard does not apply:*
  - 1. *Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not be practicably overcome by using additional or larger storm drain inlets that meet these standards.*
  - 2. *Where flows are conveyed through any device (e.g., end-of-pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum to prevent delivery of all solid and floatable materials that could not pass through one of the following:*
    - (a) *A rectangular space 4 5/8 inches long and 1 1/2 inches wide (This option does not apply to outfall netting facilities); or*
    - (b) *A bar screen having a bar spacing of 0.5 inch*
  - 3. *Where flows are conveyed through a trash rack that has parallel bars with one-inch spacing between the bars; or*
  - 4. *Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.*

#### **32-21 ENFORCEMENT.**

*Any provision of Chapter 32, Stormwater Management and Control, Article III, Private Storm Drain Inlet Retrofitting, of the Township Code of the Township of Piscataway may be enforced by any Code Enforcement Officer of the Township of Piscataway or any member of the Piscataway Township Police Department. This would include any provisions of Chapter 32, Article III that do not specifically provide for enforcement thereof by either or both of said officials.*

#### **32-22 VIOLATIONS AND PENALTIES.**

*Any provision violating any provisions of this article shall be subject to a fine in a minimum amount of \$100.00 or imprisonment in the County jail for a term not to exceed 90 days, or both, or community service as ordered by the court, which shall not reduce the fine imposed by more than 50%. Each and every violation of this article, or each day that the provisions of this article are violated, shall be construed as a separate and distinct violation thereof.*

#### **Article IV Privately-Owned Salt Storage**

#### **32-23 PURPOSE.**

*The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.*

*This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Township of Piscataway to protect the environment, public*

health, safety, and welfare, and to prescribe penalties for failure to comply.

### 32-24 DEFINITIONS.

*For the purpose of this ordinance the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.*

#### DE-ICING MATERIALS

*Means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.*

#### IMPERVIOUS SURFACE

*Means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.*

#### STORM DRAIN INLET

*Means the point of entry into the storm sewer system*

#### PERMANENT STRUCTURE

*Means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).*

*A fabric frame structure is a permanent structure if it meets the following specifications:*

- a. *Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;*
- b. *The design shall prevent stormwater run-on and run through, and the fabric cannot leak;*
- c. *The structure cannot be open sided; and*
- d. *The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.*

#### PERSON

*Means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.*

#### RESIDENT

*Means a person who resides on a residential property where de-icing material is stored.*

### 32-25 DE-ICING MATERIAL STORAGE REQUIREMENTS.

- a. *Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15<sup>th</sup> and April 15<sup>th</sup>:*

1. *Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;*
  2. *Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;*
  3. *Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;*
  4. *Loose materials shall be covered as follows:*
    - (a) *The cover shall be waterproof, impermeable, and flexible;*
    - (b) *The cover shall extend to the base of the pile(s);*
    - (c) *The cover shall be free from holes or tears;*
    - (d) *The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and*
    - (e) *Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.*
      - (1) *Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;*
  5. *Containers must be sealed when not in use;*
  6. *The site shall be free of all de-icing materials between April 16<sup>th</sup> and October 14<sup>th</sup>.*
- b. *De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15<sup>th</sup> to April 15<sup>th</sup>.*
  - c. *All such temporary and/or permanent structures must also comply with all other Township of Piscataway ordinances, including but not limited to Chapter 14, Building, and Chapter 21, Zoning, of the Revised General Ordinances of the Township of Piscataway.*
  - d. *The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.*
    1. *Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.*

#### **32-26 EXEMPTIONS.**

*Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances weekly inspections are not necessary, but repair or replacement of damaged or inadequate*



containers shall occur within 2 weeks.

*If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in § 32-24 above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.*

*This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.*

**32-27 ENFORCEMENT.**

*This ordinance shall be enforced by any Code Enforcement Officer of the Township of Piscataway or any member of the Piscataway Township Police Department during the course of ordinary enforcement duties.*

**32-28 VIOLATIONS AND PENALTIES.**

*Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure violations to complete corrective action shall result in fines as defined in §1-5 of the Revised General Ordinances of the Township of Piscataway.*

**32-29 SEVERABILITY.**

*Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this ordinance.*

**32-30 EFFECTIVE DATE.**

*This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.*

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. Espinosa opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

Mr. Espinosa 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 TO AMEND AND SUPPLEMENT THE REVISED

GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY,  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XXIII  
(23), SEWERS AND WASTEWATER, AND CHAPTER XXXII (32), STORMWATER  
MANAGEMENT AND CONTROL

was introduced on the 26th day of November 2024 and had passed the first reading and was published on the 2nd day of December 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 10, 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. 2024-37.

On roll call vote: Messrs. Carmichael, Lombardi, Rouse, Shah, Uhrin & Espinosa 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 MEISTER STREET IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

WHEREAS, Meister 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 Meister 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 Meister 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, 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, then 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 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 twenty (20) days after the first publication thereof, by summary, after final passage, in the manner provided by law.

MEISTER STREET ROAD IMPROVEMENTS					
			EASEMENT TYPE		
BLOCK	LOT	ADDRESS	FEE TAKING	TEMPORARY	PERMANENT
408	1.01	911 Walnut Street	FS-1		PSE-1
408	9.01	1741 Meister Street			PSE-2
407	1.01	901 Harold Place			PSE-3
402	45.01	804 Harold Place			PSE-4
403	23.01	805 Harold Place			PSE-5
403	14.01	1707 West Seventh Street	FS-2		PDSE-6
406	44.01	1615 Meister Street			PSE-7
405	1.01	23 Jennie Place			PSE-8
127	1.01	14 Jennie Place			PSE-9
404	57.01	3 Jennie Place			PSE-10
126	21.01	6 Jennie Place			PSE-11

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

There being no comments, the public portion was closed.

Mr. Espinosa 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. Carmichael, 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 MEISTER STREET IN THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY

was introduced on the 26<sup>th</sup> day of November 2024 and had passed the first reading and was published on the 2<sup>nd</sup> day of December 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 10, 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. 2024-38.

On roll call vote: Messrs. Carmichael, Lombardi, Rouse, Shah, Uhrin & Espinosa 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 contiguous to the Township's real property being sold; and

WHEREAS, the Township has determined to sell the real property commonly known as 5160 and 5170 Orchard Street and designated as Block 7305, Lots 20 and 21 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 the contiguous property owner; and

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

WHEREAS, the Township obtained an appraisal report dated January 22, 2024 from Sterling, Disano & Associates for the providing a fair market value of Nineteen Thousand Dollars (\$19,000.00) for the Property; and

WHEREAS, the Township wishes to sell the Property to the contiguous property owner for \$36,625.00, well above fair market value; and

WHEREAS, the sale shall be subject to a new ten (10) foot wide Permanent Easement and an additional five (5) foot wide Temporary Construction Easement along the entirety of the Orchard Street and Rivercrest frontages of the Property; and

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; and

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 value of \$36,650.00; and

The 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; and

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. Espinosa opened the Meeting to the Remote Attendees for Comments

There being no comments, the public portion was closed.

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

There being no comments, the public portion was closed.

RESOLUTION offered by Mr. Uhrin 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 26th day of November 2024 and had passed the first reading and was published on the 2nd day of December 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 10, 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. 2024-39.

On roll call vote: Messrs. Carmichael, Lombardi, Rouse, Shah, Uhrin & Espinosa 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 contiguous to the Township's real property being sold; and

WHEREAS, the Township has determined to sell the real property commonly known as 39 Ross Hall Boulevard North and designated as Block 12703, Lot 27 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 purchase price for the Property is Fifty-Eight Thousand Dollars (\$58,000.00) which is at or above fair market value; and

WHEREAS, upon the completion of the sale of the Property, the Buyer's contiguous non-conforming lot shall merge with the sold Property to become one confirming Lot; and

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; and

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 value of \$58,00.00, or any such higher qualified bid received; and

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; and

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; and

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; and

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

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

There being no comments, the public portion was closed.

Mr. Espinosa 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 Ms. Carmichael, 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 26<sup>th</sup> day of November 2024 and had passed the first reading and was published on the 2<sup>nd</sup> day of December 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on December 10, 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. 2024-40.

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

RESOLUTION #24-420

RESOLUTION offered by Mr. Rouse, seconded by Mr. Shah:

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

WHEREAS, each of the following Resolutions, Motions or Proclamations to be presented before the Township Council at its December 10, 2024 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Award of Professional Services – Amended Sanitary Sewer Extension – TWA Permits – Highland Avenue - Delaware-Raritan Engineering, Inc. – Not to Exceed \$10,975.00.
- b. RESOLUTION – Authorizing Award of Contract for Professional Services – New Office of Emergency Management (OEM) Building – Netta Architects – Not to Exceed \$31,500.00.
- c. RESOLUTION – Acceptance of Calendar Year Ended December 31, 2023 and 2022 Audit Report.
- d. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to 100% Disabled Veteran Status – Various Blocks and Lots.
- e. RESOLUTION – Authorizing Agreement with the New Jersey Department of Community Affairs for the Piscataway 911 Call Center Program.
- f. RESOLUTION – Authorizing Award of Bid – 2024 Addition and Renovation at Piscataway Community Development Building – H & S Construction and Mechanical Inc. – Not to Exceed \$3,682,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that each of the above-listed Resolutions, Motions or Proclamations be approved and adopted by the Township Council, with the same legal effect as through each was read in its entirety at the December 10, 2024 Regular meeting and adopted by separate vote.

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

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

RESOLUTION #24-421

WHEREAS, the Township of Piscataway requires Professional Services for the Amended Sanitary Sewer Extension – TWA Permit of Block 11302, Lot 2.03, commonly known as Highland Avenue (the “Services”); and

WHEREAS, Delaware-Raritan Engineering, Inc., Freehold Township, NJ, has submitted a Proposal 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 \$10,975.00; and

WHEREAS, Delaware-Raritan Engineering, Inc., Freehold Township, 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 2024; and

WHEREAS, the Supervisor of Engineering recommends awarding a contract for the Services to Delaware-Raritan Engineering, Inc., Freehold Township, NJ; and

WHEREAS, there is funding available pursuant to certification # r-2022-0073-1

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Delaware-Raritan Engineering, Inc., Freehold Township, NJ, to provide Professional Services for the Amended Sanitary Sewer Extension – TWA Permit of Block 11302, Lot 2.03, commonly known as Highland Avenue, at the rates set forth in said Proposal, with such services not to exceed \$10,975.00.

RESOLUTION #24-422

WHEREAS, the Township of Piscataway requires Professional Services for the New Office of Emergency Management Building (the “Services”); and

WHEREAS, Netta Architects, Mountainside, NJ, has submitted a Proposal 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 \$31,500.00; and

WHEREAS, Netta Architects, Mountainside, 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 2024; and

WHEREAS, there is funding available pursuant to certification # R-2024-0113;

NOW, THEREFORE, BE IT RESOVLED by the Township Council of the Township of Piscataway that the Township Council does hereby authorize Netta Architects, Mountainside, NJ, to provide Professional Services for the New Office of Emergency Management Building, at the rates set forth in said Proposal, with such services not to exceed \$31,500.00.

#### RESOLUTION #24-423

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the “Municipal Clerk” pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars



(\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Piscataway, that the *Township Council* hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION #24-424

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

Block	Lot	Qual	Name	Year	Amount	Reason
1201	2.15		Kenneth Mitchell	2024	2,841.37	100% Disabled Veteran
1203	40.06		Omar Hegab	2024	2,183.81	100% Disabled Veteran
1813	7.01		Johnny Ortega	2024	3,793.89	100% Disabled Veteran
6808	2		Thomas Gutierrez	2024	1,844.00	100% Disabled Veteran
7201	27		Peter Barnoski	2024	2,075.47	100% Disabled Veteran
7302	4		Timothy Davis	2024	3,947.62	100% Disabled Veteran

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 #24-425

WHEREAS, the Township of Piscataway ("Township") wishes to obtain a grant from the New Jersey Department of Community Affairs ("DCA") for the Piscataway 911 Call Center Program (the "Program"); and

WHEREAS, the Township Attorney has reviewed the Agreement, a copy of which is attached hereto 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 Clerk are hereby authorized to apply for and execute a grant Agreement for the Program, in substantially the form attached hereto, subject to changes by the Mayor upon advice of counsel; and

BE IT FURTHER RESOLVED that the appropriate municipal officials are authorized to take any such further action as necessary to obtain said grant.

RESOLUTION #24-426

WHEREAS, on November 14, 2024, the Township received six (6) bids for the 2024 Addition and Renovation at Piscataway Community Development Building (the

“Renovations”); and

WHEREAS, pursuant to the Recommendation to Award dated December 10, 2024, a copy of which is attached hereto and made apart hereof, said Assistant Director of Public Works recommends awarding a contract for the Renovations to H&S Construction and Mechanical, Inc., Elizabeth, NJ, in an amount not to exceed \$3,682,000.00; and

WHEREAS, there is funding available pursuant to certification # B-2024-036;

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 H&S Construction and Mechanical, Inc., Elizabeth, NJ, for 2024 Additional and Renovation at the Piscataway Community Development Building, in the amount not to exceed \$3,682,000.00.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

- Councilwoman Carmichael says that the Holmes Marshall Fire Company Women’s Auxiliary is hosting their Annual Christmas Party.
- Councilwoman Lombardi thanked Santa for showing up on Friday to Town Hall for the Tree Lighting. She said that is was a great event. She also reminds people to sign up for the Holiday House Decorating Contest.

The Council considered the matters on the Agenda for December 17, 2024:

- ORDINANCE – SECOND READING – FULLY FUNDED – \$1,735,000.00 - Various Equipment – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – FULLY FUNDED – \$2,100,000.00 - Street/Road Improvement Projects – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Authorizing Acquisition of Block 11317, Lot 23.02 – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Authorizing Acquisition of Block 303, Lot 17.01 – OPEN TO PUBLIC – RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Authorizing Execution of Financial Agreement – IDIL 1551 South Washington Urban Renewal LLC – Block 5301, Lot 14.04 – 1551 South Washington Avenue – OPEN TO PUBLIC – RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING - Amending and Supplementing Various Chapters of the Municipal Code Part 4 – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- RESOLUTION – Authorizing Change Order No. 2 – Durham Park Multi Use Path Repairs – Fischer Contracting, Inc. – Decrease \$3,805.43.
- RESOLUTION – Authorizing Award of Bid – S. Washington Avenue and Summers Avenue Sanitary Sewer Alignment Improvement – T.R. Weniger, Inc. – Not to Exceed \$121,200.00.
- RESOLUTION – Authorizing Award of Contract – 2024-4 Hot Mix Asphalt for Road Resurfacing – Stavola Asphalt Company, Inc. – Not to Exceed \$75,000.00.
- RESOLUTION – Authorizing Return of Sterling Village Security Deposit and Payment to Township for Damages – Apt. 230.
- MOTION – Accept Report of Clerk’s Account – November 2024.
- MOTION – Accept Report of the Division of Revenue – November 2024.
- MOTION – Receive and Enter into Minutes Disbursements for the Month of November 2024.

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:

David Akins, Ambrose Valley Lane, asks for clarification on items 18b, 18e & 18f. He also asks about an item on the upcoming December 17<sup>th</sup> agenda.

Mayor Brian Wahler clarifies 18B. He said that is the piece of property right next to the Police Department. In regards to 18f he says that this is regarding the new Community Development Building.

Business Administrator Tim Dacey says that item 18e is the for the 911 call center and that we are using money that we got from the Federal Government and are applying for more money from the State.

Costas Efthymious, 58 Curtis Ave, speaks about speeding signs around the Township.

Curtis Grubbs, 1750 W 3<sup>rd</sup> St, asks about the barricades that they had discussed as a previous meeting.

Mayor Brian Wahler asks Attorney Rajvir Goomer when the council members will receive the memo regarding moving the School Board Elections.

There being no further business to come before the council, the meeting was adjourned at 8:20pm. Motion by Ms. Lombardi, seconded by Mr. Shah, carried unanimously.

Respectfully submitted,



Kelly Mitch, Deputy Township Clerk

Accepted:

1/23/25



Dennis Espinosa  
Council Vice President

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