October 3, 2023

A Regular Meeting of the Piscataway Township Council was held on October 3, 2023 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by Council President, Frank Uhrin, at 7:30 pm.

Council President Uhrin made the following Statement, in compliance with the Open Public Meetings Act: Adequate notice of this meeting has been provided as required under Chapter 231, P.L. 1975, specifying the time, date, location, login, or dial-in information, and, to the extent known, the agenda by posting a copy of the notice on the Municipal Building, Municipal Court and the two Municipal Library Bulletin Boards, Municipal Website, providing a copy to the official newspapers of the Township and by filing a copy in the office of the Township Clerk in accordance with a certification by the Clerk which will be entered in the minutes.

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

If a member of the public wishes to speak during any public comment portion for remote attendees, please raise your hand. This can be done either through the Zoom app or by pressing *9 (star nine) on your phone. When it is your turn to speak, you will receive a prompt or request to unmute. Please click on the prompt or press *6 (star 6) on your phone to unmute and begin making your comments.

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

Should you have any further comments or questions, the Township Council is always available by email and phone, and you can always call the Mayor's office during normal operating hours. Each member of the public shall only have one opportunity to speak during each public portion. As the technology does not allow us to know if there are multiple callers on an individual phone line or logged in user account, we ask that if you wish to speak, that you login in or dial in separately so that we can recognize you as a separate individual.

On roll call, there were present: Messrs. Cahill, Carmichael, Espinosa, Lombardi and Uhrin.

Mr. Uhrin led the salute to the flag.

PROCLAMATION:

WHEREAS, the Hispanic population represents a rich cultural heritage representing a wide range of nationalities and backgrounds, all of whom make positive contributions across all sectors of American society; and

WHEREAS, strong commitment to family, faith, hard work and service has enriched and enhanced our community; and

WHEREAS, during National Hispanic Heritage Month, the United States celebrates the cultures, traditions and contributions of residents with roots to Spain, Mexico, Central America, South America and the Caribbean; and

WHEREAS, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Mexico and Chile all celebrate the anniversary of their independence in the month of September; and

WHEREAS, during this month, we should take time to recognize and celebrate Hispanic contributions and heritage.

NOW, THEREFORE, I, Brian C. Wahler, Mayor of the Township of Piscataway, County of Middlesex, State of New Jersey, along with the Township Council, recognize September 15 – October 15, 2023 as

National Hispanic Heritage Month

and encourage all residents to celebrate the strength found in our community's diversity as we work together to guarantee peace and equality for all.

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

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

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

Pratik Patel, 29 Redbud Rd, asked for clarification on items G & H.

Township Attorney, Rajvir Goomer, explained that item G was regarding a road widening project easement.

Business Administrator, Tim Dacey, explained that H is the annual funding from the Federal Government for Community Development Block Grant for improvements in neighborhood parks.

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

The Clerk read for SECOND READING the following ORDINANCE:
ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXI (21), ZONING

BE IT ORDAINED, by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter XXI, Zoning, §21-3 is hereby supplemented to read as follows:

§21-3. DEFINITIONS.

...

Data Center – A large group of networked computer servers typically used by organizations for the remote storage, processing, or distribution of large amounts of data.

BE IT FURTHER ORDAINED, by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that §21-501.3 is hereby amended to read as follows:

§21-501.3. Schedule of Uses in LI-1 and LI-5 Districts.

Zone Principal Use Permitted

...

LI-1 5. Data Centers

BE IT FURTHER ORDAINED that if any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they

shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

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

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

There being no comments, the public portion was closed.

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

There being no comments, the public portion was closed.

RESOLUTION offered by Ms. Cahill seconded by Mr. Espinosa, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF
PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER XXI (21), ZONING

was introduced on the 15th day of August, 2023 and had passed the first reading and was published on the 20th day of August, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on October 3, 2023, be adopted, passed, and after passage, be published, together with a notice of the date of passage or approval, in the official newspaper.

BE IT FURTHER RESOLVED that this Ordinance shall be assigned No. 2023-25.

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

The Clerk read for SECOND READING the following ORDINANCE:
ORDINANCE TO SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, SUPPLEMENTING CHAPTER XXIV (24), SITE PLAN REVIEW

BE IT ORDAINED, by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey, that Chapter XXIV, Site Plan Review, §24-702.2(c) is hereby supplemented to read as follows:

§24-702.2. DESIGN STANDARDS FOR OFF-STREET PARKING AREAS.

...

c. Off-street Parking Requirements for Particular Uses

...

USES	MINIMUM REQUIRED PARKING SPACES

Medical or Dental Clinics or Offices	4 for each doctor or dentist, 3 for every physician's assistant, nurse practitioner or similar medical personnel, plus 1 space for each 100 square feet of floor area

BE IT FURTHER ORDAINED that if any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

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

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

There being no comments, the public portion was closed.

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

There being no comments, the public portion was closed.

RESOLUTION offered by Ms. Lombardi seconded by Ms. Cahill, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: ORDINANCE TO SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, SUPPLEMENTING CHAPTER XXIV (24), SITE PLAN REVIEW

was introduced on the 15th day of August, 2023 and had passed the first reading and was published on the 20th day of August, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on October 3, 2023, be adopted, passed, and after passage, be published, together with a notice of the date of passage or approval, in the official newspaper.

BE IT FURTHER RESOLVED that this Ordinance shall be assigned No. 2023-26.

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

The Clerk read for SECOND READING the following ORDINANCE:
AN ORDINANCE ADOPTING SECOND AMENDED REDEVELOPMENT PLAN
FOR 857 HOES LANE WEST, IDENTIFIED AS BLOCK 11901, LOT 22.15
ON TAX MAP OF TOWNSHIP OF PISCATAWAY

WHEREAS, the Township of Piscataway (the "Township") is committed to redeveloping the area commonly known as 857 Hoes Lane West and identified as Block 11901, Lot 22.15 on the municipal tax map (the "Property"); and

WHEREAS, pursuant to Ordinance #2022-28 on December 13, 2022 the Township Council adopted a plan, entitled "Amended Redevelopment Plan, 857 Hoes Lane West" in connection with the Property (the "Redevelopment Plan"); and

WHEREAS, on December 13, 2022, by Resolution No. 22-402 the Township designated Forte Development LLC as the Conditional Redeveloper of the Property and approved a certain Redevelopment Agreement, wherein the Redeveloper will purchase the Property from the Seller and thereafter construct fourteen (14) single family residential homes for sale; and

WHEREAS, in order to advance the redevelopment project, the Township professionals and designated redeveloper recommend that the Redevelopment Plan be modified with regard to certain bulk requirements and design standards as shown in redline in the Second Amended Redevelopment Plan dated September 2023, attached hereto and incorporated herein as Exhibit A ("Second Amended Redevelopment Plan"); and

WHEREAS, the Township Council reviewed said Second Amended Redevelopment Plan and now desires to adopt the same; and

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

Section 1. Pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law, the Township hereby approves the aforementioned Second Amended Redevelopment Plan, which is attached hereto as Exhibit A.

Section 2. The Second Amended Redevelopment Plan shall supersede all provisions of the Zoning and Development Regulations of the Township of Piscataway regulating development on the Property, unless otherwise noted in said Second Amended Redevelopment Plan.

Section 3. Final adoption of said Second Amended Redevelopment Plan by the Township Council shall be considered an amendment of the Township of Piscataway Zoning Map. The Zoning District Map in the Zoning Ordinances of the Township shall be amended to include the boundaries described in said Second Amended Redevelopment Plan and the provisions therein.

Section 4. All of the provisions of said Second Amended Redevelopment Plan shall supersede the applicable development regulations of the Township's ordinances, as and where indicated, for the properties subject to said Second Amended Redevelopment Plan. In the event of any inconsistencies between the provisions of said Second Amended Redevelopment Plan and any prior ordinance of the Township of Piscataway, the provisions of said Second Amended Redevelopment Plan shall govern.

Section 5. A copy of this Ordinance and said Second Amended Redevelopment Plan shall be forwarded, after introduction, to the Piscataway Township Planning Board for a Master Plan consistency review in accordance with N.J.S.A 40A:12A-7e.

Section 6. Should any section, paragraph, sentence, or clause of this Ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this Ordinance are hereby declared severable.

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

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

There being no comments, the public portion was closed.

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

Pratik Patel, 29 Redbud Rd, asked what is being redeveloped.

Councilwoman Cahill explained that it was a property that had been privately owned and now the house has fallen apart. The Township wants to make it single family homes.

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

RESOLUTION offered by Ms. Cahill seconded by Mr. Espinosa, BE IT RESOLVED, by the Township Council of Piscataway Township, New Jersey, that AN ORDINANCE ENTITLED: AN ORDINANCE ADOPTING SECOND AMENDED REDEVELOPMENT PLAN FOR 857 HOES LANE WEST, IDENTIFIED AS BLOCK 11901, LOT 22.15 ON TAX MAP OF TOWNSHIP OF PISCATAWAY

was introduced on the 12th day of September, 2023 and had passed the first reading and was published on the 19th day of September, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on October 3, 2023, be adopted, passed, and after passage, be published, together with a notice of the date of passage or approval, in the official newspaper.

BE IT FURTHER RESOLVED that this Ordinance shall be assigned No. 2023-27.

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

The Clerk read for FIRST READING the following ORDINANCE: AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 3401, LOTS 12.02, 43.01, 47.01; BLOCK 3402, LOT 13; BLOCK 3403, LOTS 1.01, 2.01, 5.01 AND 72.01; AND BLOCK 3404, LOTS 29.01, 45.01, 47.01, 56.01, 59.01, 62.01, 66.01 AND 71.01, AND ALSO INCLUDING PORTIONS OF THE CLAWSON STREET, BROOK AVENUE AND FIELD AVENUE RIGHTS-OF-WAY (CLAWSON STREET AND BAEKELAND AVENUE), AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF PISCATAWAY

RESOLUTION offered by Ms. Lombardi seconded by Ms. Carmichael, AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 3401, LOTS 12.02, 43.01, 47.01; BLOCK 3402, LOT 13; BLOCK 3403, LOTS 1.01, 2.01, 5.01 AND 72.01; AND BLOCK 3404, LOTS 29.01, 45.01, 47.01, 56.01, 59.01, 62.01, 66.01 AND 71.01, AND ALSO INCLUDING PORTIONS OF THE CLAWSON STREET, BROOK AVENUE AND FIELD AVENUE RIGHTS-OF-WAY (CLAWSON STREET AND BAEKELAND AVENUE), AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF PISCATAWAY

be and is hereby adopted on the first reading, that it be published in the official newspaper, and that a second reading and public hearing be held at 7:30 p.m., prevailing time at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey as well as by remote meeting format on the 9th day of November, 2023.

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

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

The Clerk read for FIRST READING the following ORDINANCE: AN ORDINANCE AMENDING ORDINANCE ADOPTED JULY 21, 2020 APPROVING AMENDED REDEVELOPMENT PLAN FOR 88 CENTENNIAL AVENUE, BLOCK 6703, LOT 8, AS

SHOWN ON THE TAX MAP OF THE TAX MAP OF THE TOWNSHIP OF PISCATAWAY

RESOLUTION offered by Ms. Cahill seconded by Ms. Carmichael, AN ORDINANCE AMENDING ORDINANCE ADOPTED JULY 21, 2020 APPROVING AMENDED REDEVELOPMENT PLAN FOR 88 CENTENNIAL AVENUE, BLOCK 6703, LOT 8, AS SHOWN ON THE TAX MAP OF THE TAX MAP OF THE TOWNSHIP OF PISCATAWAY

be and is hereby adopted on the first reading, that it be published in the official newspaper, and that a second reading and public hearing be held at 7:30 p.m., prevailing time at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey as well as by remote meeting format on the 9th day of November, 2023.

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

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

RESOLUTION #23-336

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

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

WHEREAS, each of the following Resolutions, Motions or Proclamations to be presented before the Township Council at its October 3, 2023 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

a. RESOLUTION – Authorizing 2023 Solicitors & Peddlers Licenses:
    - Christopher Hart
    - Leslie Powis
    - Brian Piatkowski
    - Francisca DeRiggs
b. RESOLUTION – Authorizing Return of Escrow:
    - Block 703, Lots 1.05 & 1.06 – 3 Lakeview Avenue – 20-ZB-75/76V.
    - Block 11701, Lot 4.11 – 1023 River Road – 20-PB-06.
c. RESOLUTION – Authorizing Return of Performance Surety & Cash Bonds:
    - Block 4701, Lot 5.05 – 330 So. Randolphville Road – 19-PB-43.
d. RESOLUTION – Authorizing Award of Bid – 2023-2024 DPW Drainage Improvement – Black Rock Enterprises, LLC – Not to Exceed $207,000.00.
e. RESOLUTION – Authorizing Award of Contract Through Middlesex County Cooperative – 2023-2024 Hot Mix Asphalt for Road Resurfacing – Stavola Asphalt company, Inc. – Not to Exceed $125,000.00.
f. RESOLUTION - Authorizing Municipal Lien for Abatement of Public Nuisance – Various Blocks and Lots.
g. RESOLUTION – Authorizing Settlement Agreement with Timothy Christian School.
h. RESOLUTION – Authorizing Chapter 159 – FY2023 Community Development Block Grant.
i. RESOLUTION – Authorizing Acceptance of Project and Release of Retainage – Second Avenue Improvements Phase III – Jads Construction Co.
j. RESOLUTION – Authorizing Return of Safety and Stabilization Guarantee:

- Block 4102, Lot 1 – 101 Circle Drive North – 19-PB-25/26V.

k. RESOLUTION – Authorizing Refund of Overpayment of Taxes Due to 100% Disabled Veteran Status – Various Block and Lots.
l. RESOLUTION – Authorizing Cancellation of Taxes and Refund of Overpayment Due to 100% Disabled Veteran Status – Block 6817, Lot 7.01.
m. RESOLUTION – Authorizing Chapter 159 – Multi-Jurisdictional JAG 1-12TF-20 Narcotics Task Force.
n. RESOLUTION – Authorizing Return of Performance Surety and Cash Bonds and Authorizing Settlement Agreement:
    - Block 510, Lot 20.01 – Greenwood Drive at Ashwood & Sandalwood Drive – 13-PB-19.
o. RESOLUTION – Authorizing Refund of Bid Bond – Concept Printing, Inc.
p. MOTION – Accept Minutes – Council Meeting – August 15 & September 12, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway that each of the above-listed Resolutions, Motions or Proclamations be approved and adopted by the Township Council, with the same legal effect as through each was read in its entirety at the October 3, 2023 Regular meeting and adopted by separate vote.

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

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

RESOLUTION #23-337

WHEREAS, Christopher Hart, Leslie Powis, and Brian Piatkowski have applied with the Township of Piscataway for Solicitors Licenses for 2023; and

WHEREAS, pursuant to letters from the Piscataway Township Police Department, dated September 13, 2023, copies of which is attached hereto and made a part hereof, the Piscataway Township Police Department recommends granting Solicitors Licenses to Christopher Hart, Leslie Powis and Brian Piatkowski; and

WHEREAS, Francisca De Riggs has applied with the Township of Piscataway for a Peddlers License for 2023; and

WHEREAS, pursuant to a letter from the Piscataway Township Police Department, dated September 19, 2023, a copy of which is attached hereto and made a part hereof, the Piscataway Township Police Department recommends granting a Peddlers License to Francisca De Riggs; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to issue Solicitors Licenses for 2023 to Christopher Hart, Leslie Powis, and Brian Piatkowski; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to issue a Peddlers License for 2023 to Francisca De Riggs.

RESOLUTION #23-338

WHEREAS, on December 15, 2020, June 3, 2021, and June 23, 2021, Harris Realty Company, LLC, posted escrow checks with the Township of Piscataway in the amount of $4,000.00, $2,000.00, and $1,000.00, respectively, regarding Zoning Board Application #20-ZB-75/76V for Block 703, Lot 1.05 & 1.06 (3 Lakeview Avenue); and

WHEREAS, pursuant to a Request for Release of Funds dated May 25, 2023 and a Memorandum from the Township Supervisor of Planning dated September 7,

2023, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the total amount of $759.35 to Harris Realty Company, LLC; and

WHEREAS, on March 16, 2021, Nathan Yates posted two escrow checks with the Township of Piscataway each in the amount of $500.00 and on August 9, 2021 and January 12, 2022 posted escrow checks in the amount of $1,500.00, each, regarding Planning Board Application #20-PB-06 for Block 11701, Lot 4.11 (1023 River Road); and

WHEREAS, pursuant to a Request for Release of Funds dated June 22, 2023 and a Memorandum from the Township Supervisor of Planning dated September 7, 2023, the Supervisor of Planning and the Finance Department approved the release of unexpended escrow fees in the total amount of $497.80 to Nathan Yates; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Harris Realty Company, LLC in the amount of $759.35 regarding Zoning Board Application #20-ZB-75/76V for Block 703, Lot 1.05 & 1.06 (3 Lakeview Avenue); and

BE IT FURTHER RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Nathan Yates in the amount of $497.80, regarding Planning Board Application #20-PB-06 for Block 11701, Lot 4.11 (1023 River Road).

RESOLUTION #23-339

WHEREAS, TDC Logistics Company, LLC, Chicago, IL, requests the release of a Performance Surety Bond in the original amount of $85,179.93 and a Cash Bond in the original amount of $9,464.44, posted with the Township of Piscataway on September 9, 2020 and October 1, 2020, respectively, for improvements on Block 4701, Lot 5.05 (330 S. Randolphville Road) regarding Application #19-PB-43; and

WHEREAS, pursuant to a Request for Release of Funds dated September 7, 2023 and a letter from the Township Supervisor of Engineering dated September 7, 2023, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that all improvements required and covered have been satisfactorily installed, and recommends the release of the Performance Surety Bond to 330 S Randolphville Urban Renewal LLC and Cash Bond to TDC Logistics Company, LLC, upon TDC Logistics Company, LLC, posting of three (3) two (2) year Maintenance Bonds for Off-Site Improvements in the amount of $4,418.29, On-Site Perimeter Buffer Landscaping in the amount $7,412.25, and On-Site Storm Management System in the amount of $46,269.60 with the Township; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release a Performance Surety Bond in the amount of $85,179.93 to 330 S Randolphville Urban Renewal LLC and a Cash Bond in the amount of $9,521.64, to TDC Logistics Company, LLC, Chicago, IL, for improvements to Block 4701, Lot 5.05 (330 S. Randolphville Road), regarding Application #19-PB-43, subject to TDC Logistics Company, LLC posting of three (3) two (2) year Maintenance Bonds for Off-Site Improvements in the amount of $4,418.29, On-Site Perimeter Buffer Landscaping in the amount $7,412.25, and On-Site Storm Management System in the amount of $46,269.60 with the Township.

RESOLUTION #23-340

WHEREAS, on August 10, 2023, the Township of Piscataway (the "Township") received four (4) bids in regard to the 2023-2024 DPW Drainage Improvement (the "Project"); and

WHEREAS, the Township Assistant Director of Public Works reviewed the bids

and recommends awarding a contract for the Project to Black Rock Enterprises, LLC, Old Bridge, NJ who is the lowest qualifying bidder, in the amount not to exceed $207,000.00; and

WHEREAS, funds are available pursuant to certification # B-2023-025;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to award a contract for the 2023-2024 DPW Drainage Improvement to Black Rock Enterprises, LLC, Old Bridge, NJ who is the lowest qualifying bidder, in the amount not to exceed $207,000.00, subject to all bid specifications and contract documents.

RESOLUTION #23-341

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

WHEREAS, the Township of Piscataway Director of Public Works recommends awarding a contract for the Asphalt through the Middlesex County Cooperative Contract Bid No. B-23-097 to Stavola Asphalt Company, Inc., Tinton Falls, NJ in an amount not to exceed $125,000.00, for a term beginning on October 3, 2023 and ending on June 22, 2024; and

WHEREAS, there is funding available pursuant to certification # R-2023-0259;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to enter into a contract with Stavola Asphalt Company, Inc., Tinton Falls, NJ for the 2023-2024 Hot Mix Asphalt for Road Resurfacing in the amount not to exceed $125,000.00, for a term beginning on October 3, 2023 and ending on June 22, 2024, through the Middlesex County Cooperative Contract Bid No. B-23-097.

RESOLUTION #23-342

WHEREAS, the Township Council of the Piscataway has been advised that the township has incurred costs associated with abatement of a public nuisance on certain properties as follow:

Block	Lot	Location	Amount
11901	21.19	821 HOES LANE W	$193.75
7003	12	202 WILLOW AVE	$225.00
1502	29	9 WOODROW AVE	$193.75
207	4.03	1654 W 3RD ST	$225.00

THEREFORE, BE IT RESOLVED by the township council of the Township of Piscataway, that municipal officials be and are hereby authorized to take the necessary steps to impose municipal liens, as indicated above, for the costs of remedial action to abate a public nuisance on certain.

RESOLUTION #23-343

WHEREAS, the Township of Piscataway (the "Township") and Christian School Association of North Central Jersey a/k/a Timothy Christian School ("Timothy Christian School") are parties to a lawsuit captioned "Township of Piscataway v. Christian School Association of North Central Jersey a/k/a Timothy Christian School, Victoria Park Association, and John Does 1-5 (Dkt. No. MID-L-2953-22)" as well as an additional dispute regarding a special assessment regarding construction of a multi use path along the frontage of Timothy Christian School ("Frontage"); and

WHEREAS, the parties wish to avoid the uncertainty, legal fees and costs of the

litigation now wish to amicably resolve this matter for a total amount of $60,000.00, as compensation for the Township's acquisition of easements along the Frontage for road improvements reduced by the special assessment that Timothy Christian School would have had to pay to the Township; and

WHEREAS, the Township Attorney has reviewed the Settlement Agreement, a copy of which is attached hereto, and recommends execution of same; and

WHEREAS, funds are available pursuant to certification # R-2023-0260;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Piscataway that the Mayor is hereby authorized to execute, and the Township Clerk to attest to the Settlement Agreement and Release in substantially the form annexed hereto, subject to changes agreed upon by the Mayor upon the advice of the Township Attorney, and to take any and all actions necessary to finalize such settlement; and

BE IT FURTHER RESOLVED, that the Township administration is authorized to issue the settlement payment in the amount of $60,000.00 payable to Timothy Christian School to resolve all disputes between the parties.

RESOLUTION #23-344

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

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

WHEREAS, the Township of Piscataway has received notice of an award of $291,233.00 from the U.S. Department of Housing and Urban Development and wishes to amend its Calendar Year 2023 Budget to include this amount as revenue, and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Piscataway in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year Calendar Year 2023:

Amount Received for

FY2023 Community Development Block Grant (CDBG)	$291,233.00

BE IT FURTHER RESOLVED that the like sum of $ $291,233.00 is hereby appropriated under the caption of:

FY2023 Community Development Block Grant (CDBG)	$291,233.00

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

RESOLUTION #23-345

WHEREAS, JADS Construction Co., South River, NJ entered into an agreement with the Township of Piscataway for the Second Avenue Improvements Phase III (the "Project"), where JADS Construction Co., would complete certain improvements at cost, in the amount not to exceed $944,451.70; and

WHEREAS, as specified in the Change Order Form signed by the Supervisor of Engineering of the Township of Piscataway dated September 20, 2023, a copy of which

is attached hereto and made a part hereof, there is a decrease in the Contract Quantities needed by the Township of Piscataway ("Township") for the Project; and

WHEREAS, this change order would represent a $174,956.57 decrease in the amount of the contract from the previous total for a final cost not to exceed $769,495.13, a 18.52% decrease from the original contract amount; and

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

WHEREAS, pursuant to a Final Change Order Form, dated September 20, 2023, from the Township Supervisor of Engineering, said Township Supervisor of Engineering recommends that the Township approve the Final Change Order Request; and

WHEREAS, pursuant to a Memorandum from the Township Supervisor of Engineering dated September 20, 2023 the Township Supervisor of Engineering recommends the acceptance of the project and release of the retainage in the amount of $15,389.90, upon the receipt of a two (2) year maintenance bond in the amount of $76,949.51; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to amend the total contract amount for the Project with JADS Construction Co., South River, NJ from $944,451.70 to a final total not to exceed $769,495.13 and execute the enclosed Final Change Order in the amount of $174,956.57, subject to all bid specifications and contract documents; and

BE IT FURTHER RESOLVED by the Township Council of the Township that the appropriate municipal officials be and are hereby authorized to accept the Project and return retainage funds to JADS Construction Co., South River NJ, in the amount of $15,389.90, subject to the receipt of a two (2) year maintenance bond in the amount of $76,949.51, as it pertains to the Second Avenue Improvements Phase III.

RESOLUTION #23-346

WHEREAS, Adam Corp, Plainfield, NJ requests the release of a Safety and Stabilization Guarantee Cash Bond in the original amount of $27,806.53, posted with the Township of Piscataway by Adam Corp, Plainfield, NJ, on March 31, 2021 for improvements on Block 4102, Lot 1 (101 Circle Drive North); and

WHEREAS, pursuant to a Request for Release of Funds dated September 13, 2023, and a letter from the Township Supervisor of Engineering dated June 28, 2023, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that no maintenance bond is required, all improvements required and covered have been satisfactorily installed, and recommends the release of the Safety and Stabilization Guarantee Cash Bond; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release a Safety and Stabilization Guarantee Cash Bond in the amount of $27,806.53 to Adam Corp, Plainfield, NJ, for improvements on Block 4102, Lot 1 (101 Circle Drive North).

RESOLUTION #23-347

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

Block	Lot	Name	Year	Amount	Reason
6817	7.01	Denise S. Frederick	2023	624.53	100% Disabled Veteran

8207	16.01	Mario G. Moran	2023	3,323.92	100% Disabled Veteran
9401	86	Gwen Weaver	2023	2,186.04	100% Disabled Veteran
11901	21.14	Victor J. Little	2023	2,074.74	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 #23-348

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

BLOCK	LOT	NAME	YEAR	AMOUNT	REASON
6817	7.01	Denise S. Frederick	2023	$3,122.62	100% Disabled Veteran
6817	7.01	Denise S. Frederick	2024	$3,703.48	100% Disabled Veteran

THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to cancel the taxes and refund the overpayment of taxes to the record owner. The Collector is hereby authorized to adjust the records accordingly.

RESOLUTION #23-349

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

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

WHEREAS, the Township of Piscataway has received notice of an award of $6,000.00 from the U.S. Department of Justice, Pass Thru' County Of Middlesex and wishes to amend its Calendar Year 2023 Budget to include this amount as revenue, and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Piscataway in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year Calendar Year 2023:

Amount Received for
Multi-Jurisdictional JAG 1-12TF-20 Narcotics Task Force $6,000.00

BE IT FURTHER RESOLVED that the like sum of $ $6,000.00 is hereby appropriated under the caption of:

Multi-Jurisdictional JAG 1-12TF-20 Narcotics Task Force $6,000.00

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

RESOLUTION #23-350

WHEREAS, the Township of Piscataway is a party to a lawsuit captioned First Indemnity of America Insurance Company v. Simcha Ingber and Dinah Ingber, his wife, and North Smith Street, LLC; and Simcha Ingber and Dinah Ingber, his wife, and North Smith Street, LLC v. Township of Piscataway, John Does 1-10, XYZ Corporations 1-10 (Dkt. No. OCN-DC-4763-22); and

WHEREAS, the parties wish to avoid the uncertainty, legal fees and costs of the litigation now wish to amicably resolve this matter; and

WHEREAS, as part of the settlement, North Smith Street, LLC, Lakewood, NJ requests the release of a Performance Surety Bond in the original amount of $41,031.90 and a Cash Bond in the original amount of $4,559.10, posted with the Township of Piscataway on July 27, 2015, and December 8, 2015, respectively, for improvements on Block 510, Lot 30.01 (Greenwood Drive at Ashwood & Sandalwood Drives) regarding Application #13-PB-19; and

WHEREAS, pursuant to a Request for Release of Funds dated February 6, 2023, a letter from the Township Supervisor of Engineering dated September 21, 2023, and the Settlement Agreement, copies of which are attached hereto and made a part hereof, the said Supervisor of Engineering advised that the punch list and monuments requirements have been waived as part of the litigation settlement terms, and recommends the release of the Performance Surety Bond and Cash Bond to Paul Sant'Ambrogio, Esq., attorney for First Indemnity of American Insurance Company, in the amount of $1,539.00, and the remainder to Michael Roberts, Esq., attorney for North Smith Street, LLC; and

WHEREAS, the Township Attorney has reviewed the Settlement Agreement and recommends execution of same; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Piscataway authorizes the Mayor is hereby authorized to execute, and the Township Clerk to attest to the Settlement Agreement and Release in substantially the form annexed hereto, subject to changes agreed upon by the Mayor upon the advice of the Township Attorney, and to take any and all actions necessary to finalize such settlement; and

BE IT FURTHER RESOLVED that the appropriate municipal officials be and are hereby authorized to release a Performance Surety Bond in the amount of $41,031.90 and a Cash Bond in the amount of $4,559.10, regarding Planning Board Application #13-PB-19, with $1,539.00 of said Cash Bond paid to Paul Sant'Ambrogio, Esq., attorney for First Indemnity of American Insurance Company and the remainder of the Cash Bond paid to Michael Roberts, Esq., attorney for North Smith Street, LLC pursuant to the terms of the settlement agreement.

RESOLUTION #23-351

WHEREAS, Concept Printing, Inc., Nyack, NY was, pursuant to a previous Resolution, awarded a contract for the 2022-2023 Screen Printed, Embroidered Clothing, Promotional Products, Commerical Printing, and Signage Bid; and

WHEREAS, Concept Printing, Inc. submitted a Cash Bid Bond in the amount of $426.85, pursuant to a check dated September 2, 2021, regarding the 2022-2023 Screen Printed, Embroidered Clothing, Promotional Products, Commercial Printing, and Signage Bid and requests the release of same; and

WHEREAS, Concept Printing, Inc. has submitted the appropriate Performance Bond, and the Township purchasing department recommends the release of said bid bond; and

NOW, THEREFORE, BE IT RESOLVED that the appropriate municipal officials be and are hereby authorized to return a Cash Bid Bond in the amount of $426.85, to Concept Printing, Inc., Nyack, NY, regarding the 2022-2023 Screen Printed, Embroidered Clothing, Promotional Products, Commercial Printing, and Signage Bid.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

- Councilwoman Cahill reminds residents about the upcoming Passport Day at the Senior Center. She also wishes everyone a Happy Halloween.
- Councilman Espinosa informs residents that the JFK Library is holding a National Hispanic Heritage Event over the weekend.
- Councilwoman Lombardi acknowledges that October is National Breast Cancer Awareness Month.
- Mayor Brian Wahler announces that tomorrow is "Walk Your Child(ren) to School Day" in conjunction with the Piscataway PD. He also says that there will be a 5k race for the volunteer firefighters in town on October 28th.

The Council considered the matters on the Agenda for November 9, 2023:

- ORDINANCE – SECOND READING – Clawson Street and Baekeland Avenue Redevelopment Plan – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- ORDINANCE – SECOND READING – Authorizing 88 Centennial Avenue Amended Redevelopment Plan – OPEN TO PUBLIC - RESOLUTION Adopting Ordinance.
- RESOLUTION – Authorizing Award of Bid – Sterling Village, Hazelwood Park, and Kroeger Park Camera Pole Installation and Associated Electrical Work – Magic Touch Construction – Not to Exceed $70,963.35.
- RESOLUTION – Authorizing Acceptance of Donation to Piscataway Community Outreach Advisory Board from the Piscataway Elks Lodge #2414 in the amount of $1,480.00.
- RESOLUTION – Acceptance of Calendar Year Ended December 31, 2022 Audit Report.

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:

Carol Tanzie, Kirsten Zinicus, Nancy Lipsitz, Kodi, Lindsey DeCastro, Deanna Ulac, Amanda LeJere, Jennifer Torres and John Shu spoke about the Unfair Labor Practice Strike that they are on and how they are seeking help from their local governments and elected officials.

Pratik Patel, 29 Redbud Rd, asks about his 2022 taxes and the tax information that got sent out in the newsletter. He also comments on the budget.

Mayor Brian Wahler clarified that the newsletter was regarding the tax rate.

Councilwoman Lombardi applauded all of the nurses for coming to the meeting and standing their ground.

Councilwoman Cahill says that Piscataway is a union labor town and asks Council President Uhrin if the Council could vote on an oral resolution in support of the nurses. She announces that the resolution will be memorialized at a later date. The resolution states that Piscataway is standing with the Union and that they are going to call on Governor Murphy and the Acting Comptroller to end the strike immediately.

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

WHEREAS, on October 3rd, 2023, representatives of the nurses that are on strike at Robert Wood Johnson University Hospital ("RWJUH") appeared before the Township of Piscataway ("Township") Council to provide information about the staffing, workload and safety concerns of the nurses at RWJUH; and

WHEREAS, the Township and its residents are serviced by RWJUH for their healthcare needs and the staffing crisis and resulting nurses strike at Robert Wood Johnson University Hospital could have dire consequences on the delivery of care in our community; and

WHEREAS, Piscataway supports unions and labor organizations, and recently built the Piscataway Community Center with union labor; and

WHEREAS, after hearing the public comments of the representatives of the RWJUH striking nurses, the Township Council wished to express their support for said nurses and approved an oral resolution, as memorialized herein; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Piscataway, that the Township of Piscataway supports the striking nurses at RWJUH and asks Governor Murphy and the State of New Jersey Acting Comptroller to support the nurses and assist in ending the strike immediately; and

BE IT FURTHER RESOLVED, that a copy of this Resolution memorializing the Oral Resolution on October 3, 2024 shall be furnished to the Governor of the State of New Jersey and the New Jersey Acting Comptroller.

On voice call vote Messrs. Cahill, Carmichael, Espinosa, Lombardi and Uhrin answered aye.

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

There being no further business to come before the council, the meeting was adjourned at 8:24pm. Motion by Ms. Lombardi seconded by Ms. Cahill, carried unanimously.

Respectfully submitted,

Kelly Mitch, Deputy Township Clerk

Accepted: Dec. 12, 2023

Frank Uhrin
Council President