

February 9, 2021

A Regular Meeting of the Piscataway Township Council was held on February 9, 2021 at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey. The meeting was called to order by Council President, Kapil Shah, at 7:30 pm.

Council President Shah 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 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.

The Township continues to use the telephone meeting format in an effort to mitigate the chance of exposure to COVID-19, as a part of the Township's ongoing effort to slow the rate of transmission and avoid overwhelming our treatment centers.

In order to make sure a clear record of the meeting can be made and that all parties are heard in an organized fashion, all members of the public will be muted during the meeting. If a member of the public wishes to speak during any public comment portion, please press \*9 (star nine) in order to raise your hand to speak. We will unmute members of the public individually if they have their hand raised. When it is your turn to speak, you will hear a notification that you have been unmuted. It is at that time that you should begin to ask any questions you may have. You will have three minutes to speak, at the conclusion of which you will be muted again, and 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 line, we ask that if you wish to speak, that you dial in on a separate line so that we can recognize you as a separate individual.

Individuals may also submit written comments to the Township Clerk up to forty-eight (48) hours prior to the meeting, to be read by the Township Clerk during the Public Comment Portion of the meeting. Said comments shall be limited to three minutes of reading.

Thank you in advance for your patience as we continue to move the Township forward during this Health Emergency.

On roll call, there were present: Messrs. Bullard, Cahill, Cahn, Lombardi, McCullum, Uhrin, and Shah.

There were no comments from Administration and Council on the Adjournment of any Agenda items.

Mr. Shah opened the meeting to the Public for comments regarding the Consent Agenda Items.

Brian Rak, 1247 Brookside Rd, asked about green energy for the street lighting. Stated he didn't see the meeting time on the agenda for the meeting. Raj responded it's only required on meeting notice.

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 CHAPTER XXI (21), ZONING.**

**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 XXI, Zoning,

**CHAPTER XXI**

**ZONING**

**21-3 DEFINITIONS**

b. Specific Definitions:

**ABANDONMENT**

Shall mean the relinquishment of property, or a cessation of the use of the property, by the owner or lessee without any intention of transferring rights to the property to another owner or of resuming the use of the property.

**ACCESSIBILITY RAMP**

A sloping ramp constructed with a slope greater than 1:12 (one inch of vertical rise for every 12 inches of horizontal length, or run) and must conform to the standard Americans with Disabilities Act (ADA) specifications for ramps.

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**BLOCK**

Shall mean a unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterway, or any other barrier to the continuity of development.

**BOOK EXCHANGE STRUCTURE**

Shall mean a cabinet not to exceed 20 inches by 24 inches and mounted on a pole and which cabinet shall not exceed five feet in height. The placement and setback of such structure may be approved in the discretion of the Zoning Officer.

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**CANNABIS DISPENSARY**

Any place in which marijuana in any form is sold for recreational purposes to members of the public.

**PAWN SHOP**

Any establishment where the primary means of business deals with purchasing private personal property with the intention of selling it back at a stipulated price, or providing loans or money advances on the security of pledges of personal property.

**SOLAR PANELS**

Shall mean a structure containing one or more receptive cells, the purpose of which is to convert solar energy into usable electrical energy by way of a solar energy system.

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**21-401 Zones Created**

For the purposes of this Chapter, the Township of Piscataway is hereby further divided into the following zones:

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- R-17.5 Residential
- LI-2 Light Industrial

**21.402 Zoning Map**

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The Zoning Map shall be further amended as follows:

- Block 5701, Lots 11 and 12 shall be designated SCH, Senior Citizen Housing
- Block 10514, Lots 15.05, 15.08, 31.03 and 41.01 shall be designated R-7.5, Residential
- Block 11301, Lot 2.01, 5, 6.01, 7-9 and 10.02 shall be designated R-7.5, Residential
- Block 11302, Lot 2.03 shall be designated R-7.5, Residential
- Block 11307, Lot 7.02 shall be designated R-7.5, Residential
- Block 11901, Lot 22.15 shall be designated R-17.5, Residential
- Block 8203, Lots 1.02-1.06, 2, 66.01, 67.01, 68.03 and 70 shall be designated BP-1, Business Professional
- Block 8306, Lot 1.01 shall be designated BP-1, Business Professional
- Block 8501, Lot 1.02 shall be designated BP-1, Business Professional
- Block 8509, Lots 1, and 10-16 shall be designated BP-1, Business Professional
- Block 1701, Lots 1.01 and 1.02 shall be designated LI-2, Light Industrial
- Block 1823, Lot 19.01 shall be designated LI-2, Light Industrial

**21-501.1 Schedule of General Requirements – See attached chart**

**21-501.2 Schedule of Use Requirements**

Zone	Principal Uses Permitted	Accessory Uses Permitted	Conditional Uses Permitted
R-17.5	Same as RR-1 except Item 2	Same as RR-1	Same as RR-1 Zone except Items 2-8

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

Zone	Principal Uses Permitted	Accessory Uses Permitted	Conditional Uses Permitted
LI-2	Same as LI-1 except uses permitted in B-P Zones	Same as C Zone	Same as LI-1

**21-627 STORAGE OF OUTDOOR MECHANICAL EQUIPMENT**

All heating, ventilation, air-conditioning units/compressors, and/or auxiliary power generators, and/or swimming pool/hot tub/spa/whirlpool pumps and/or heat pumps, and/or any other similar outdoor mechanical equipment shall comply with the following criteria:

- A. All outdoor mechanical equipment shall be muffled so as to comply with both the Noise Control Act of 1971 (N.J.S.A. 13:16-1 et seq.) and the New Jersey Noise Control Regulations (N.J.A.C. 7:29), as most recently amended;
- B. Except for all auxiliary power generators in a residential zone, all new (but not replacement) outdoor mechanical equipment shall be set back a minimum of ten (10 feet from any property line abutting a residential zone or residential use, or five (5) feet from any nonresidential property line;
- C. Except for all auxiliary power generators in a residential zone, all outdoor mechanical equipment shall be:
  - 1. totally screened by evergreen plantings of a height at time of planting equal to the height of each piece of mechanical equipment to be screened;
  - 2. completely behind the building envelope (the separation of the interior and exterior of a building); or
  - 3. screened by fencing or other enclosures specifically designed to screen outdoor mechanical equipment.
- D. A zoning permit must be obtained for any new outdoor mechanical equipment in a residential zone and for any new or replacement mechanical equipment in all non-residential zones.
- E. Auxiliary power generators in a residential zone shall be:
  - 1. Only located in a side or rear yard;
  - 2. In compliance with both the Noise Control Act of 1971 (N.J.S.A 13:16-1 et seq.) and the New Jersey Noise Control Regulations (N.J.A.C. 7:29);
  - 3. Set back a minimum of 2 feet from any property line abutting a residential zone or residential use;
  - 4. Screened by evergreen plantings, of a height equal to the height of the auxiliary power generator, or fencing or other enclosures equal to the height of the auxiliary power generator.

**21-628 OUTDOOR ACCESSIBILITY EQUIPMENT**

Outdoor accessibility ramps and other similar structures may be placed in the front, side, or rear yards and may encroach into the required setbacks by up to 50%. This permission is temporary and requires submission of documentation to the Township evidencing a resident’s disability. Said permission shall last for a period of two (2) years from the initial zoning approval. A request via zoning permit application to permit the continuation of said structure(s) on the property shall be resubmitted every two (2) years.

In the event that a resident with a disability sells or no longer leases or occupies the property upon which an outdoor accessibility ramp or similar structure has been constructed or the resident no longer uses the property as their primary residence, the ramp must be removed within thirty (30 days of the sale or non-use.

**21-13 Prohibited Uses**

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- 21-13.01.21 Pawn Shops
- 21-13.01.22 Cannabis Dispensary

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**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. Shah opened the Meeting to the Public for Comments: **ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XXI (21), ZONING.**

Alexander Malloy, 311 Roosevelt Ave – has issue with change in zoning from R-10 to R-7.5 for certain blocks and lots around his home. (page 3 of ordinance)

Dennia Duran, 300 Highland Ave – supports previous statement by Mr. Malloy.

Pratik Patel, 29 Redbud commented on wanting to keep area suburban.

Brian Rak, 1247 Brookside Rd, objects to this zoning ordinance.

James Clarkin, township attorney, spoke on this zoning ordinance.

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

RESOLUTION offered by Mrs. Cahill, seconded by Mr. Cahn: BE IT RESOLVED, By the Township Council of Piscataway Township, New Jersey that: ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AMENDING CHAPTER XXI (21), ZONING was introduced on the 12<sup>th</sup> day of January, 2021 and had passed the first reading and was published on the 16<sup>th</sup> day of January, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on February 9, 2021, 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. 2021-05.

On roll call vote: Messrs. Bullard, Cahill, Cahn, Lombardi, McCullum, Uhrin, and Shah answered yes.

#### RESOLUTION #21-79

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

**WHEREAS**, each of the following Resolutions, Motions or Proclamations to be presented before the Township Council at its February 9, 2021 Regular Meeting appear to have the unanimous approval of all members of the Township Council:

- a. RESOLUTION – Authorizing Refund of Raffle Fee – Rutgers University Foundation Inc.
- b. RESOLUTION – Authorizing Return of Performance Surety and Cash Bonds:
  - o Crimson Builders, LLC – Block 1404, Lot 9.01 – 586 Dial Avenue.
  - o Valencia Piscataway LLC – Block 2101, Lot 11.02 – 73 Old New Brunswick Road.
- c. RESOLUTION – Authorizing Return of Soil Erosion Bond – Block 1404, Lot 9.01 – 586 Dial Avenue.
- d. RESOLUTION – Authorizing Return of Engineering and Inspection Fees:
  - o Ring Power Corp. – Block 4301, Lot 8,03 – 250 Circle Drive North.

- o Sauma Warehousing Company LLC – Block 4401, Lot 3 – 226 Old New Brunswick Road.
- e. RESOLUTION – Authorizing Return of Sterling Village Security Deposits: Bolivar & Maria Cucalon Apt. 120 Barbara Labno – Apt. 220
- f. RESOLUTION – Authorizing Execution of License Agreement with Verizon for a Temporary Cellular Facility.
- g. RESOLUTION – Authorizing Return of Escrow Fees:
  - o Concrete Construction Corp. – Block 6702, Lot 3.03 – 201 Centennial Avenue.
  - o Colgate-Palmolive Company – Block 11701, Lot 16.05 – 909 River Road.
  - o Black River Industrial LLC – Block 6703, Lot 2.02 – 800 Centennial Avenue.
  - o Sauma Warehousing Company, LLC – Block 4401, Lot 3 – 226 Old New Brunswick Road.
- h. RESOLUTION – Correcting Resolution #21-57 – Pitney Bowes Inc.
- i. RESOLUTION – Correcting Resolution #21-59 – Pitney Bowes Inc.
- j. RESOLUTION – Authorizing Participation in the Houston-Galveston Area Council Cooperative Purchasing Program.
- k. RESOLUTION – Authorizing Award of Master Energy Sales Agreement for Township of Piscataway Streetlighting.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway that each of the above-listed Resolutions, Motions or Proclamations be approved and adopted by the Township Council, with the same legal effect as through each was read in its entirety at the February 9, 2021 Regular meeting and adopted by separate vote.

On roll call vote: Messrs. Bullard, Cahill, Cahn, Lombardi, McCullum, Uhrin, and Shah answered yes.

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

#### RESOLUTION #21-80

**WHEREAS**, the Rutgers University Foundation, New Brunswick, NJ applied with the Township of Piscataway (the “Township”) for a raffle license to conduct a raffle at the Rutgers Athletic Center on April 12, 2021 (the “Raffle”); and

**WHEREAS**, Rutgers University Foundation, New Brunswick, NJ has cancelled the Raffle and has requested that their \$60.00 application fee paid via Check #1060, dated November 30, 2020, be refunded; 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 refund the raffle license application fee to Rutgers University Foundation, New Brunswick, NJ, in the amount of \$60.00.

#### RESOLUTION #21-81

**WHEREAS**, Crimson Builders, LLC, Somerville, NJ, requests the release of a Performance Surety Bond in the original amount of \$5,049.00 and a Cash Bond in the original amount of \$459.00, both posted with the Township of Piscataway on May 6, 2019, regarding improvements for Block 1404, Lot 9.01 (586 Dial Avenue); and

**WHEREAS**, pursuant to a Request for Release of Funds dated October 31, 2020 and a letter from the Township Supervisor of Engineering dated November 20, 2020, 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 Performance Surety Bond and Cash Bond; and

**WHEREAS**, Valencia Piscataway, LLC, Livingston, NJ, requests the release of a Cash Bond in the original amount of \$66,266.40, posted with the Township of Piscataway on October 9, 2020, regarding improvements for Block 2101, Lot 11.02 (73 Old New Brunswick Road); and

**WHEREAS**, pursuant to a Request for Release of Funds dated January 12, 2021 and a letter from the Township Supervisor of Engineering dated January 22, 2021, 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 Cash Bond; and

**WHEREAS**, Valencia Piscataway, LLC, Livingston, NJ, requests the release of a Performance Surety Bonds in the original amounts of \$203,984.00 and \$43,385.45, respectively, and a Cash Bond in the original amount of \$18,544.00, posted with the Township of Piscataway on March 13, 2019, March 13, 2019 and March 26, 2019, respectively, regarding improvements for Block 2101, Lot 11.02 (73 Old New Brunswick Road); and

**WHEREAS**, pursuant to a Request for Release of Funds dated January 12, 2021 and a letter from the Township Supervisor of Engineering dated January 22, 2021, 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 and Cash Bond subject to the posting of a two (2) year maintenance bond in the \$100,132.50; 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 \$5,049.00 and a Cash Bond in the amount of \$459.00 to Crimson Builders, LLC, Somerville, NJ, regarding Block 1404, Lot 9.01 (586 Dial Avenue); and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials be and are hereby authorized to release a Cash Bond in the amount of \$66,302.93 (including accrued interest) to Valencia Piscataway, LLC, Livingston, NJ, regarding Block 2101, Lot 11.02 (73 Old New Brunswick Road); and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials be and are hereby authorized to release Performance Surety Bonds in the amounts of \$203,984.00 and \$43,385.45 and a Cash Bond in the amount of \$18,544.00 to Valencia Piscataway, LLC, Livingston, NJ, regarding Block 2101, Lot 11.02 (73 Old New Brunswick Road), subject to the posting of a two (2) year maintenance bond in the amount of \$100,132.50.

#### RESOLUTION #21-82

**WHEREAS**, Crimson Builders, LLC, Somerville, NJ, requests the return of a Soil Erosion/Landscaping Bond in the amount of \$1,000.00, posted on March 6, 2020 with the Township of Piscataway (the "Township") for improvements for Block 1404, Lot 9.01 (586 Dial Avenue); and

**WHEREAS**, pursuant to a Request for Release of Funds dated October 31, 2020 and a Memorandum from the Township Supervisor of Engineering dated November 20, 2020, copies of which are attached hereto and made a part hereof, the Supervisor of Engineering advised that the necessary improvements required and covered have been satisfactorily installed, and therefore recommended the return of said Soil Erosion/Landscaping Bond to Crimson Builders, LLC; 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 return said Soil Erosion/Landscaping Bond in the amount of \$1,000.00 to Crimson Builders, LLC, Somerville, NJ, regarding Block 1404, Lot 9.01 (586 Dial Avenue).

#### RESOLUTION #21-83

**WHEREAS**, Ring Power Corporation, St. Augustine, FL has completed their project on Block 4301, Lot 8.03 (250 Circle Drive North); and

**WHEREAS**, pursuant to a Request for Release of Funds dated January 11, 2021 and a Memorandum from the Township Supervisor of Engineering dated January 11, 2021, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$2,636.75 be returned to Ring Power Corporation; and

**WHEREAS**, Sauma Warehousing Company, LLC, Piscataway, NJ has completed their project on Block 4401, Lot 3 (226 Old New Brunswick Road); and

**WHEREAS**, pursuant to a Request for Release of Funds dated December 24, 2010 and a Memorandum from the Township Supervisor of Engineering dated January 19, 2021, copies of which are attached hereto and made a part hereof, said Supervisor of Engineering advised that

all inspections and deductions for the project are complete and recommended that unexpended engineering and inspection fee funds in the amount of \$20,062.21 be returned to Sauma Warehousing Company, LLC; 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 return unexpended engineering and inspection fee funds to Ring Power Corporation, St. Augustine, FL, in the amount of \$2,636.75, regarding Block 4301, Lot 8.03 (250 Circle Drive North); and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials be and are hereby authorized to return unexpended engineering and inspection fee funds to Sauma Warehousing Company, LLC, Piscataway, NJ, in the amount of \$20,062.21, regarding Block 4401, Lot 3 (226 Old New Brunswick Road).

RESOLUTION #21-84

**WHEREAS**, Barbara Labno requests the return of a Security Deposit in the amount of \$830.60 and a Pet Security Deposit in the amount of \$50.00, posted with the Township of Piscataway (the “Township”) for Apartment 220 at Sterling Village; and

**WHEREAS**, the Township Finance Department recommends the release of said Security Deposit and Pet Security Deposit; and

**WHEREAS**, Bolivar and Maria Cucalon request the return of a Security Deposit in the amount of \$605.48, posted with the Township of Piscataway for Apartment 120 at Sterling Village; and

**WHEREAS**, the Township Finance Department recommends the release of said Security Deposit; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release said Security Deposit in the amount of \$830.60 and said Pet Security Deposit in the amount of \$50.00, for a final total of \$880.60, to Barbara Labno in regard to Apartment 220 at Sterling Village; and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials be and are hereby authorized to release said Security Deposit in the amount of \$605.48, to Bolivar and Maria Cucalon, in regard to Apartment 120 at Sterling Village.

RESOLUTION #21-85

**WHEREAS**, the Township of Piscataway (the “Township”) wishes to enter into a License Agreement (the “Agreement”) with New York SMSA Limited Partnership d/b/a Verizon Wireless (“Verizon”), authorizing Verizon to place a communications facility upon the property located at 505 Sidney Road, Piscataway, NJ; and

**WHEREAS**, the Township Attorney has reviewed said Agreement, a copy of which is attached hereto as Exhibit A and made a part hereof, and recommends execution of same; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway, that the Township Council formally approves the Agreement; and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials and the Mayor are hereby authorized to execute the Agreement on behalf of the Township of Piscataway and approve the execution of same; and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials and the Mayor are hereby authorized to take any additional action and execute any documentation as may be necessary to effectuate the aforementioned Agreement.

RESOLUTION #21-86

**WHEREAS**, on September 17 and November 22 of 2019, Concrete Construction Corporation, Hackensack, NJ, posted escrow checks with the Township of Piscataway in the amounts of \$5,000.00 and \$2,500.00, respectively, regarding Planning Board Application #19-PB-31/32V for Block 6702, Lot 3.03 (201 Centennial Avenue); and

**WHEREAS**, pursuant to a Request for Release of Funds dated February 11, 2020 and a Memorandum from the Township Supervisor of Planning dated January 20, 2021, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$1,295.23 to Concrete Construction Corporation, Hackensack, NJ; and

**WHEREAS**, on July 16, July 18 and October 10 of 2013, Colgate-Palmolive Company, Piscataway, NJ, posted escrow checks with the Township of Piscataway in the amounts of \$5,000.00, \$15,000.00 and \$5,000.00, respectively, regarding Planning Board Application #13-ZB-27/28V for Block 11701, Lot 16.05 (909 River Road); and

**WHEREAS**, pursuant to a Request for Release of Funds dated September 25, 2020 and a Memorandum from the Township Supervisor of Planning dated January 20, 2021, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$456.25 to Colgate-Palmolive Company, Piscataway, NJ; and

**WHEREAS**, on March 30, 2017, Black River Industrial, LLC, Pottersville, NJ, posted an escrow check with the Township of Piscataway in the amount of \$1,500.00, regarding Block 6703, Lot 2.02 (800 Centennial Avenue); and

**WHEREAS**, pursuant to a Request for Release of Funds dated November 30, 2020 and a Memorandum from the Township Supervisor of Planning dated January 20, 2021, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$927.92 to Black River Industrial, LLC, Pottersville, NJ; and

**WHEREAS**, on July 14 and August 11 of 2015, Sauma Warehousing Company, LLC, Piscataway, NJ, posted escrow checks with the Township of Piscataway, both in the amounts of \$500.00, regarding Block 4401, Lot 3 (226 Old New Brunswick Road); and

**WHEREAS**, pursuant to a Request for Release of Funds dated September 10, 2020 and a Memorandum from the Township Supervisor of Planning dated January 22, 2021, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$428.27 to Sauma Warehousing Company, LLC, Piscataway, NJ; and

**WHEREAS**, on April 12, 2018, Sauma Warehousing Company, LLC, Piscataway, NJ, posted an escrow check with the Township of Piscataway, in the amount of \$16,500.00, regarding Block 4401, Lot 3 (226 Old New Brunswick Road); and

**WHEREAS**, pursuant to a Request for Release of Funds dated September 10, 2020 and a Memorandum from the Township Supervisor of Planning dated January 22, 2021, the Supervisor of Planning and the Finance Department approved the release of the unexpended escrow fees in the amount of \$5,597.41 to Sauma Warehousing Company, LLC, Piscataway, NJ; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Piscataway, that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Concrete Construction Corporation, Hackensack, NJ in the amount of \$1,295.23 regarding Planning Board Application #19-PB-31/32V for Block 6702, Lot 3.03 (201 Centennial Avenue); and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Colgate-Palmolive Company, Piscataway, NJ in the amount of \$456.25 regarding Zoning Board Application #13-ZB-27/28V, for Block 11701, Lot 16.05 (909 River Road); and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Black River Industrial, LLC, Pottersville, NJ in the amount of \$927.92 regarding Block 6703, Lot 2.02 (800 Centennial Avenue); and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Sauma Warehousing Company, LLC, Piscataway, NJ in the amount of \$428.27 regarding Block 4401, Lot 3 (226 Old New Brunswick Road); and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials be and are hereby authorized to release unexpended escrow fees to Sauma Warehousing Company, LLC, Piscataway, NJ in the amount of \$5,597.41 regarding Block 4401, Lot 3 (226 Old New Brunswick Road).

#### RESOLUTION #21-87

Resolution # 21-57 is hereby amended as follows:

**WHEREAS**, the Township of Piscataway is in need of a Postage Mail Machine and Meter; and

**WHEREAS**, Township Business Administrator recommends awarding a contract for the Postage Mail Machine and Meter through New Jersey State Contract #A41258 to Pitney Bowes,



Inc., Neenah, WI, in the amount not to exceed \$17,500.00;

**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 to lease a Postage Mail Machine and Meter with Pitney Bowes, Inc., Neenah, WI, for a total cost not to exceed \$17,500.00, through New Jersey State Contract #A41258.

RESOLUTION #21-88

Resolution # 21-59 is hereby amended as follows:

**WHEREAS**, the Township of Piscataway (the “Township”) is in need of Postage for the Mail Machine; and

**WHEREAS**, the Township Business Administrator recommends awarding a contract for the Postage through New Jersey State Contract #A41258 to Pitney Bowes, Inc., Neenah, WI, in the amount not to exceed \$80,000.00;

**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 for Postage for the Mail Machine with Pitney Bowes, Inc., Neenah, WI, for a total cost not to exceed \$80,000.00, through New Jersey State Contract #A41258.

RESOLUTION #21-89

**WHEREAS**, N.J.S.A. 52:34-6.2 authorizes the Township of Piscataway (the “Township”) to enter into a Cooperative Purchasing Program (the “Agreement”); and

**WHEREAS**, the Houston-Galveston Area Council has offered voluntary participation in the Agreement with regard to governmental function and services, including the purchase of goods and services; and

**WHEREAS**, the Township wishes to participate in said Agreement, a copy of which is attached hereto as Exhibit A; 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 participate in the Cooperative Purchasing Program; and

**BE IT FURTHER RESOLVED** that the appropriate municipal officials and the Mayor are authorized to sign, seal, and execute a Cooperative Purchasing Agreement with the Houston-Galveston Area Council.

RESOLUTION #21-90

**WHEREAS**, the Township of Piscataway has determined to move forward with the EMEX Reverse Auction in order to procure electricity for the Township of Piscataway Streetlighting; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) (the “Act”) authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

**WHEREAS**, the Township of Piscataway utilized the online auction services of EMEX, LLC, an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at [www.energymarketexchange.com](http://www.energymarketexchange.com); and

**WHEREAS**, EMEX, LLC is compensated for all services rendered through the participating supplier that a contract is awarded to; and

**WHEREAS**, the auction was conducted pursuant to the Act; 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 execute, on behalf of the Township of Piscataway, a twenty-four (24) month Master Energy Sales Agreement commencing on December 1, 2021 for Township of Piscataway streetlighting with MP2 Energy, LLC who was the winning bidder in the EMEX Reverse Auction.

ANNOUNCEMENTS & COMMENTS FROM OFFICIALS:

Happy Valentine’s Day

Kudos to DPW on their hard work during snow storm.

Black History Month

The Council considered the matters on the Agenda for February 23, 2021:

- RESOLUTION – Authorizing Contract Amendment #1 – Italian-American Club Renovations – Netta Architects – Not to Exceed \$6,800.00.
- RESOLUTION – Authorizing Return of Cash Bond:
  - 97 Doyle, LLC – Block 2904, Lot 73 – 97 Doyle Street.
- RESOLUTION – Designating SW Investors, LLC as Conditional Redeveloper and Authorizing Execution of a Conditional Redeveloper Agreement – Block 5203, Lots 1.01, 5.01, 16.01 and 19.01.
- RESOLUTION – Authorizing Award of Master Energy Sales Agreement for Township of Piscataway Municipal Building Electricity.
- MOTION - Accept Council Meeting Minutes for December 1, 8 and 15, 2020.

OPEN TO PUBLIC:

Janae Daniel, 5257 Ludlow St – stating her opposition to the zoning ordinance

Brian Rak, 1247 Brookside Rd. – asking for ability to use computer for audio for meetings.

Staci Berger, 233 Ellis Parkway – read a statement

Syed Ahmed, 399 Highland Ave – spoke on the zoning ordinance

Pratik Patel, 29 Redbud Rd spoke on zoning ordinance.

Andrew Morris, 410 Highland Ave – spoke on the zoning ordinance.

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 8:30pm on motion of Mrs. Lombardi, seconded by Mrs. McCullum, carried unanimously.

Respectfully submitted,

Melissa A. Seader, Township Clerk

Accepted:

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Kapil Shah  
Council President