

New Jersey State Development and Redevelopment Plan

The New Jersey State Development and Redevelopment Plan (SDRP) contains a series of smart growth goals and policies, and mapping that reflects desired growth patterns within a series of state planning areas.

As provided in the SDRP, the Study Area is located within Planning Area 2, which is also known as the Suburban Planning Area. The intents of the Suburban Planning Area are as follows:

- Provide for much of the state's future development;
- Promote growth in Centers and other compact forms;
- Protect the character of existing stable communities;
- Protect natural resources;
- Redesign areas of sprawl;
- Reverse the current trend toward further sprawl; and,
- Revitalize cities and towns.

In addition, we note that the SDRP further provides that:

The intent of the State Plan regarding the Suburban Planning Area is to reverse the current trend towards further sprawl and to guide both redevelopment and new development into more efficient and serviceable patterns. (SDRP, Page 196).

Redevelopment of the Study Area is compatible with, and will advance, the intent and purpose of the Suburban Planning Area.

Redevelopment Area Criteria

An area may be determined to be in need of redevelopment if it meets one or more of the redevelopment area criteria that are provided in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-5. These criteria are listed below:

- a) *The generality of buildings is substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air,*

or space, as to be conducive to unwholesome living or working conditions.
(N.J.S.A. 40A:12A-5[a]).

- b) The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable. (N.J.S.A. 40A:12A-5[b]).*
- c) Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital. (N.J.S.A. 40A:12A-5[c]).*
- d) Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community. (N.J.S.A. 40A:12A-5[d]).*
- e) A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general. (N.J.S.A. 40A:12A-5[e]).*

- f) Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated. (N.J.S.A. 40A:12A-5[f]).*
- g) In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone. (N.J.S.A. 40A:12A-5[g]).*
- h) The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. (N.J.S.A. 40A:12A-5[h]).*

In addition to the conditions that have been listed above, the Local Redevelopment and Housing Law notes that:

A redevelopment area may include land, buildings or improvements which of themselves are not detrimental to the public health, safety or welfare, but the

inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part. (N.J.S.A. 40A:12A-3).

Redevelopment Analysis

A careful analysis has revealed that the Study Area meets criteria of the Local Redevelopment and Housing Law for designation as an area in need of redevelopment.

Appendix E, entitled "Study Area Photographs," includes photographs taken upon visiting the Study Area on April 22, 2024. The following subsections provide an overview of the specific criteria fulfilled by the Study Area.

"a" Criterion

As set forth in the Section 5 of the Local Redevelopment and Housing Law, an area or property may be designated in need of redevelopment when:

- a) The generality of buildings is substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions. (N.J.S.A. 40A:12A-5[a]).*

Block 95, Lot 48.18 contains a three-story hotel building. The current building design is such that it has exterior corridors that provide direct access to the rooms on each floor from the building exterior. This design, according to verbal information provided by the property owner's representative upon visiting the site on April 22, 2024, is problematic because it provides uncontrolled access to the rooms and is less secure than it would be if the building were designed with interior corridors accessed via a hotel lobby or similar area. The lack of security afforded by the exterior corridor design is substantiated by the fact that, according to 145 pages of incident logs submitted by the South Brunswick Township Police Department,

there have been an estimated minimum of 2,000 (i.e., two thousand) incidents at the site from January 2019 through February 2024. Among these incidents are calls for:

- Assaults;
- Attempted suicides;
- Burglary to vehicles;
- Criminal mischief;
- Disorderly persons;
- Disputes (domestic and other);
- Drug overdoses;
- Fire calls;
- First aid;
- Fugitives from justice;
- Juvenile incidents;
- Missing persons;
- Noise complaints;
- Robberies;
- Sexual offenses;
- Suspicious incidents;
- Thefts;
- Threats;
- Warrant executions;
- Weapons discharges; and,
- Weapons offenses.

Please note that the foregoing list is not exhaustive.

In addition to the above, we note that, upon visiting the site on April 22, 2024, the property owner's representative also indicated that the use of exterior corridors in hotel design has fallen out of favor throughout the country. This is supported by research by the International Society of Hospitality Consultants that suggests that exterior corridor-style hotel construction is regarded as insecure and outdated, and

some hotel franchisers have concluded that they are functionally obsolete and detrimental to their brands¹.

In consideration of the above, it is concluded that the three-story hotel building on Block 95, Lot 48.18 meets the “a” Criterion of the Local Redevelopment and Housing Law based on its obsolete and unsecure design, which facilitates a proliferation of crime as exhibited by incident logs of the South Brunswick Township Police Department. Clearly, the significance of crime onsite results in unwholesome living and working conditions.

“d” Criterion

As set forth in the Section 5 of the Local Redevelopment and Housing Law, an area or property may be designated in need of redevelopment when:

- d) Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community. (N.J.S.A. 40A:12A-5[d]).*

As has been shown above within the context of the “a” Criterion of the Local Redevelopment and Housing Law, the three-story hotel building’s exterior corridor design is obsolete and facilitates a proliferation of crime. However, the level of crime on site is further influenced by the current site layout. Indeed, the building is not only setback by approximately 410 feet from the right-of-way of US Route 1 and 180 feet from the right-of-way of New Road, but also positioned at an angle on the site. This layout separates the building from the rights-of-way and hides the northwesterly façade, which includes room access and exterior corridors, from view from the public right-of-way. This, in turn, results in a sense of isolation, which likely contributes to the proliferation of crime onsite. Thus, the layout of Block 95,

¹ See, for example: <http://ishc.com/wp-content/uploads/BrandProliferation.pdf>

Lot 48.01 is detrimental to the safety, health, morals and welfare of the community and the “d” Criterion is satisfied.

Additionally, we note that, with an estimated minimum of 2,000 (i.e., two thousand) police incidents at the site from January 2019 through February 2024, it can be argued that the location of the three-story hotel building, combined with its obsolete exterior corridor design and positioning on the site, constitutes a deleterious land use. Indeed, the operation of the property places a significant service burden on the South Brunswick Township Police Department that is disproportionate when compared to other businesses within the Township and, thereby, is detrimental to the public health, safety, morals, or welfare of the community because it diverts the Department’s resources from other areas where it may be needed. This further supports the claim that the Study Area satisfies the “d” Criterion of the Local Redevelopment and Housing Law.

“h” Criterion

The Local Redevelopment and Housing Law was amended in 2003 to add the “h” Criterion to the list of statutory criteria. The “h” Criterion permits a municipality to designate an area in need of redevelopment if “[t]he designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation” (N.J.S.A. 40A:12A-5[h]).

As is demonstrated below, designation of the Study Area as an area in need of redevelopment under the “h” Criterion of the Local Redevelopment and Housing Law would be consistent with the smart growth planning principles and policies that are advanced by the State Planning Act (N.J.S.A. 52:18A-196 et seq.), the *New Jersey State Development and Redevelopment Plan*², the Office of Planning Advocacy of the New Jersey Department of State, and the Municipal Land Use Law (N.J.S.A. 40:55D-1. et seq.).

² *New Jersey State Development and Redevelopment Plan*, The New Jersey State Planning Commission, March 1, 2001.

State Planning Act

The State Planning Act (N.J.S.A. 52:18A-196 et seq.), which was adopted in 1985, establishes the framework for State policies and regulations related to smart growth principles. Among the findings and declarations of the State Legislature in the State Planning Act that serve as this framework are the following:

- *New Jersey, the nation's most densely populated State, requires sound and integrated Statewide planning and the coordination of Statewide planning with local and regional planning in order to conserve its natural resources, revitalize its urban centers, protect the quality of its environment, and provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development and renewal. (N.J.S.A. 52:18A-196.a)*
- *It is in the public interest to encourage development, redevelopment and economic growth in locations that are well situated with respect to present or anticipated public services and facilities, giving appropriate priority to the redevelopment, repair, rehabilitation or replacement of existing facilities and to discourage development where it may impair or destroy natural resources or environmental qualities that are vital to the health and well-being of the present and future citizens of this State. (N.J.S.A. 52:18A-196.d)*
- *Since the overwhelming majority of New Jersey land use planning and development review occurs at the local level, it is important to provide local governments in this State with the technical resources and guidance necessary to assist them in developing land use plans and procedures which are based on sound planning information and practice, and to facilitate the development of local plans which are consistent with State and regional plans and programs. (N.J.S.A. 52:18A-196.f)*

Designation of the Study Area as an area in need of redevelopment would provide the Township of South Brunswick with an important opportunity to: conserve New Jersey's natural resources; protect the quality of New Jersey's environment; and,

promote economic growth, development and renewal by recycling or reusing land and avoiding development where it may impair or destroy natural resources or environmental qualities that are vital to the health and well-being of the present and future residents of New Jersey. Additionally, and as shown below, designation of the Study Area as an area in need of redevelopment would provide the Township of South Brunswick with an opportunity to prepare a local plan that is consistent with the *New Jersey State Development and Redevelopment Plan*.

New Jersey State Development and Redevelopment Plan

The *New Jersey State Development and Redevelopment Plan*³, which was adopted pursuant to the State Planning Act, contains a series of smart growth goals and policies, and mapping that reflects desired growth patterns within a series of state planning areas.

The Study Area is located in State Planning Area 2, which is defined in the *New Jersey State Development and Redevelopment Plan* and also known as the Suburban Planning Area. As provided in the *New Jersey State Development and Redevelopment Plan*, the Suburban Planning Area is intended to:

- Provide for much of the state's future development;
- Promote growth in Centers and other compact forms;
- Protect the character of existing stable communities;
- Protect natural resources;
- Redesign areas of sprawl;
- Reverse the current trend toward further sprawl; and,
- Revitalize cities and towns.

As is demonstrated above, designation of the Study Area as an area in need of redevelopment would be consistent with the intended purpose of the Suburban Planning Area.

³ *New Jersey State Development and Redevelopment Plan*, The New Jersey State Planning Commission, March 1, 2001.

Smart Growth Areas

The Study Area is located within an area that has been designated as a smart growth area by the New Jersey Office of Planning Advocacy. This is illustrated by the fact that the Office of Planning Advocacy of the New Jersey Department of State⁴, which administers the *New Jersey State Development and Redevelopment Plan*, classifies smart growth areas as one of the following:

- Metropolitan Planning Area (State Planning Area 1);
- Suburban Planning Area (State Planning Area 2);
- A designated center;
- An area identified for growth as a result of either an initial or advanced petition for plan endorsement that has been approved by the State Planning Commission;
- A smart growth area designated by the New Jersey Meadowlands Commission; or,
- A Pinelands Regional Growth Area, Pinelands Village or Pinelands Town, as designated by the New Jersey Pinelands Commission.

The Study Area is located within the Suburban Planning Area (State Planning Area 2). Thus, the Study Area is located within a designated smart growth area.

Municipal Land Use Law

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) delegates planning and regulatory authority to municipalities and establishes the procedural framework for how local governments plan for the future. The Municipal Land Use Law has several purposes, all of which are based upon ensuring the public health, safety, welfare, and morals for communities.

Designation of the Study Area as an area in need of redevelopment, and, thereby, facilitating the preparation of a redevelopment plan and subsequent redevelopment of the area, would not only be consistent with the general smart growth approach of

⁴ See, for example: <http://nj.gov/state/planning/spc-research-resources-sga.html>

recycling or reusing land, but also promote several purposes of the Municipal Land Use Law. Specifically, redevelopment of the subject parcel would promote the following purposes of the Municipal Land Use Law:

- *To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare. (N.J.S.A. 40:55D-2[a])*

Summary

A careful analysis has revealed that the Study Area meets the “a,” “d,” and “h” criteria of the Local Redevelopment and Housing Law for designation as an area in need of redevelopment.

Conclusion

As indicated by the foregoing analysis, the Study Area has been found to meet criteria of the Local Redevelopment and Housing Law for designation as an area in need of redevelopment. The South Brunswick Planning Board may, therefore, recommend that the South Brunswick Township Council adopt a resolution declaring that the Study Area, or any portion thereof, is in need of redevelopment.

If the South Brunswick Township Council declares the Study Area, or any portion thereof, to be an area in need of redevelopment, the power of condemnation would not be available because Resolution No. 2024-112, which authorized the South Brunswick Planning Board to undertake this redevelopment study and preliminary investigation report, specifically precluded the use of condemnation.

Appendix A: Resolution No. 2024-112

Redevelopment Study and Preliminary Investigation Report
Block 95, Lot 48.13 (208 New Road)



South Brunswick Township
540 Ridge Road
Monmouth Junction, NJ 08852

RES-2024-112

Resolution

Authorizing and Directing the Township Planning Board to Undertake a Preliminary Investigation as to Whether 208 New Road (Block 95, Lot 48.13) Satisfies the Criteria to be Designated as an Area in Need of Redevelopment And/Or Rehabilitation

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "LRHL") authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment and/or rehabilitation; and

WHEREAS, in accordance with the LRHL the Mayor and Township Council of the Township of South Brunswick (the "Township Council") wish to authorize the South Brunswick Planning Board to conduct a preliminary investigation as to whether 208 New Road (Block 95, Lot 48.13) as appears on the South Brunswick Tax Map (the "Redevelopment Area"), satisfies the criteria to be designated as an area in need of redevelopment and/or rehabilitation and whether same or any portion thereof should be designated as an area in need of redevelopment and/or rehabilitation;

NOW, THEREFORE, BE IT RESOLVED, on this 21st day of February, 2024, by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, as follows:

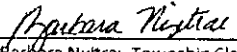
1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Council hereby authorizes and directs the Planning Board to conduct a preliminary investigation as to whether 208 New Road (Block 95, Lot 48.13) as appears on the South Brunswick Tax Map (the "Redevelopment Area"), satisfies the criteria to be designated as an area in need of redevelopment and/or rehabilitation and whether same or any portion thereof should be designated as an area in need of redevelopment and/or rehabilitation.
3. Any Redevelopment Area determination shall be a "Non-Condemnation Redevelopment Area" as defined in N.J.S.A. 40A:12A-6, and shall authorize the Township to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain.
4. A copy of this resolution shall be available for public inspection at the offices of the Township Clerk.
5. This Resolution shall take effect immediately.

Redevelopment Study and Preliminary Investigation Report
Block 95, Lot 48.13 (208 New Road)

Resolution 2024-112

Meeting of February 21, 2024

This is to certify that the foregoing is a true copy of a resolution adopted at the South Brunswick Township Council meeting held on February 21, 2024.


Barbara Nyitrai, Township Clerk

Appendix B: Tax Maps

PREPARED BY: THIS TAX MAP WAS PREPARED BY THE
FROM: 10/1/80
ALL: 10/1/80
ELECTRONICALLY IN: 10/1/80

NEW ROAD

SHEET 20

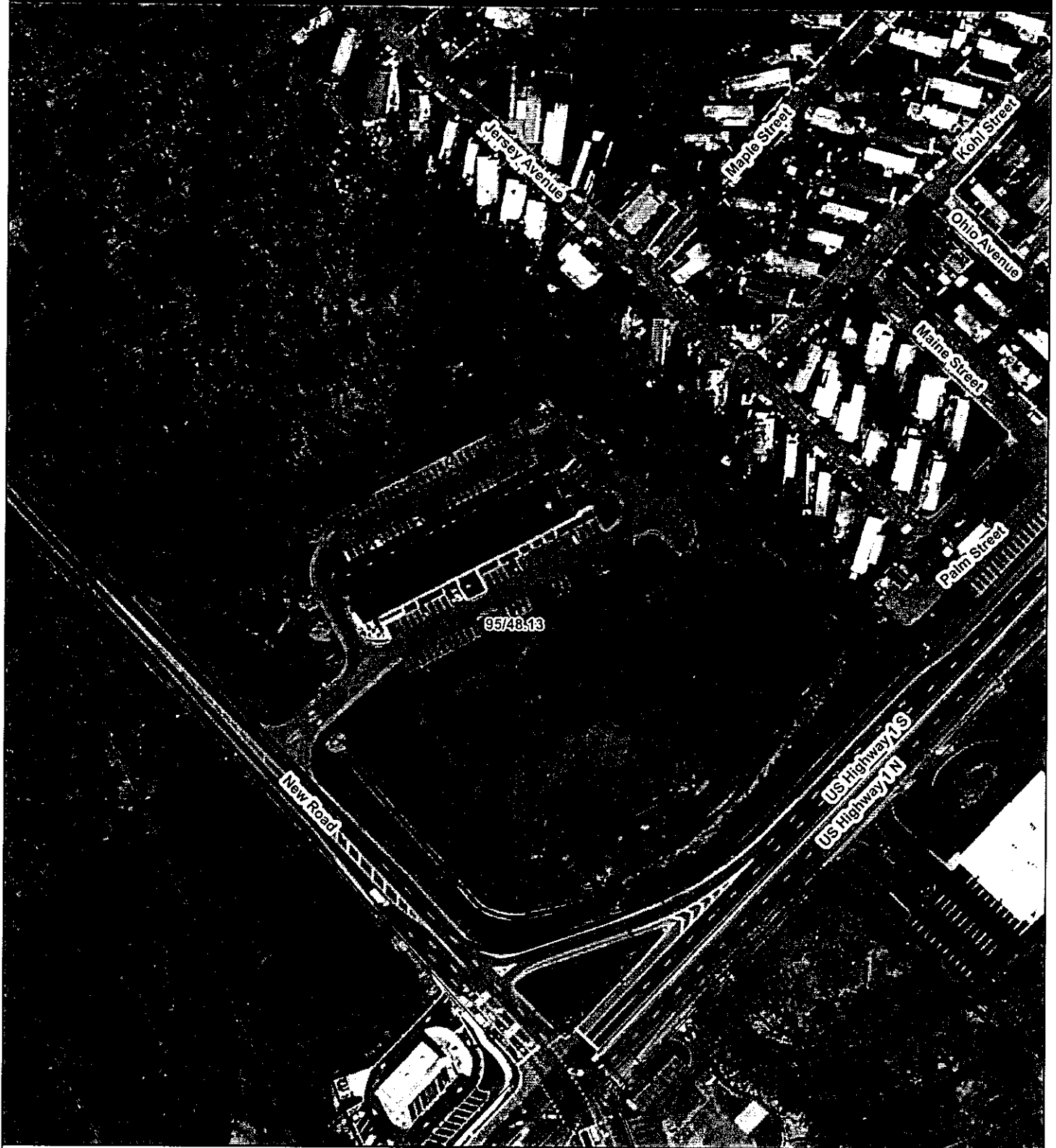
TAX MAP

SOUTH BRUNSWICK TOWNSHIP
MIDDLESEX COUNTY, NEW JERSEY
SCALE: 1" = 200' DATE: NOV. 2001
MICHAEL J. MCCARTHY, P.L.S.
ONE ASSOCIATES
3141 BOGERTOWN AVENUE, PARLIN
NEW JERSEY, 08859

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Appendix C: Aerial Imagery

Aerial Imagery
Township of South Brunswick, Middlesex County, New Jersey



-  Redevelopment Area (Block/Lot)
-  Tax Parcel

Date of Aerials: 2020



0 80 160
Feet

ricci planning

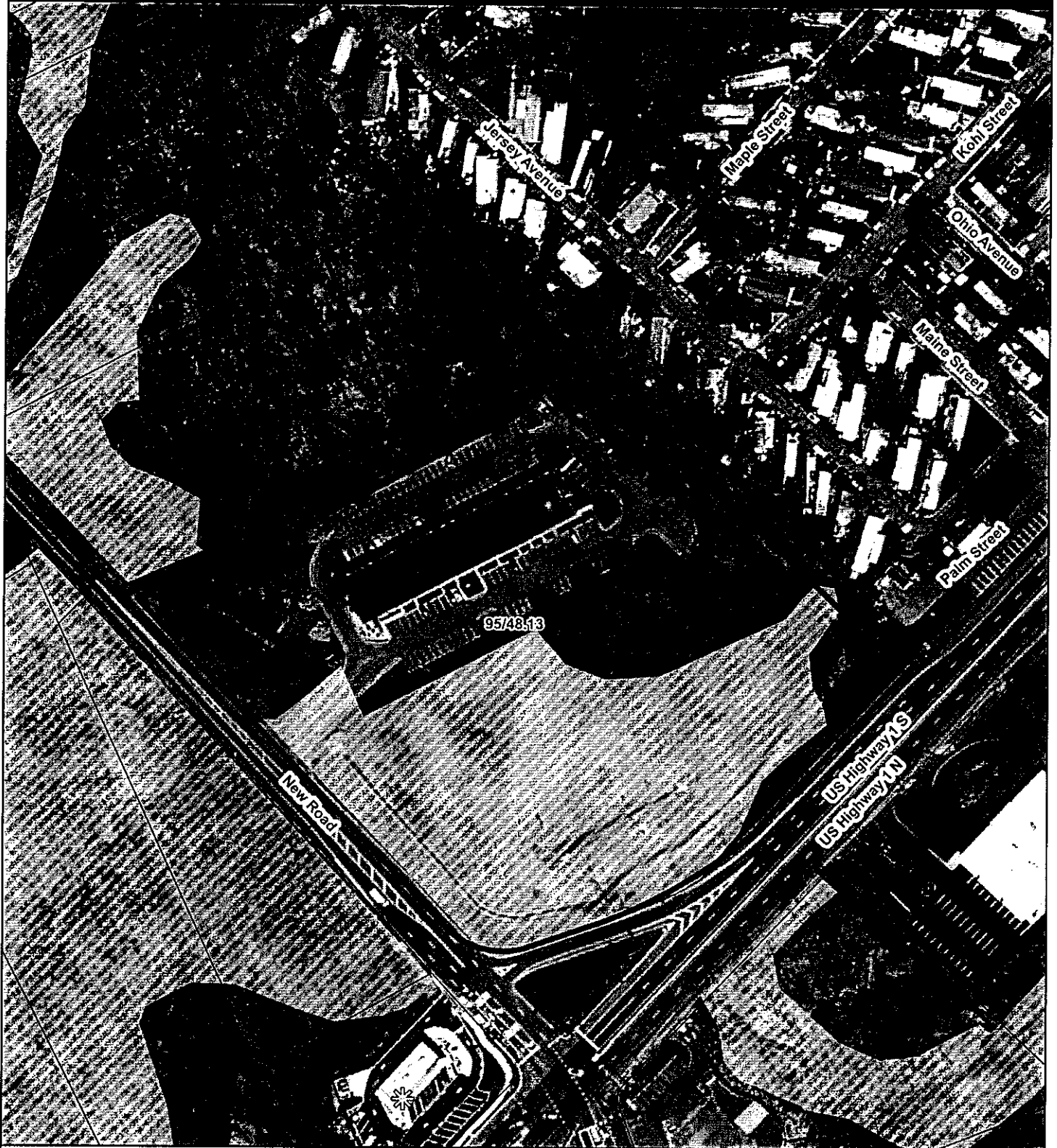
Paul Ricci, AICP, PP
127 Morris Avenue
Atlantic Highlands, NJ 07716


908-440-6100 (P) / 908-440-6101 (F)
www.ricciplanning.com


Appendix D: Environmental Constraints


Environmental Constraints

Township of South Brunswick, Middlesex County, New Jersey



 Redevelopment Area (Block/Lot)

 Tax Parcel

 Known Contaminated Site

 Special Flood Hazard Area

 Wetland Area

Date of Aerials: 2020



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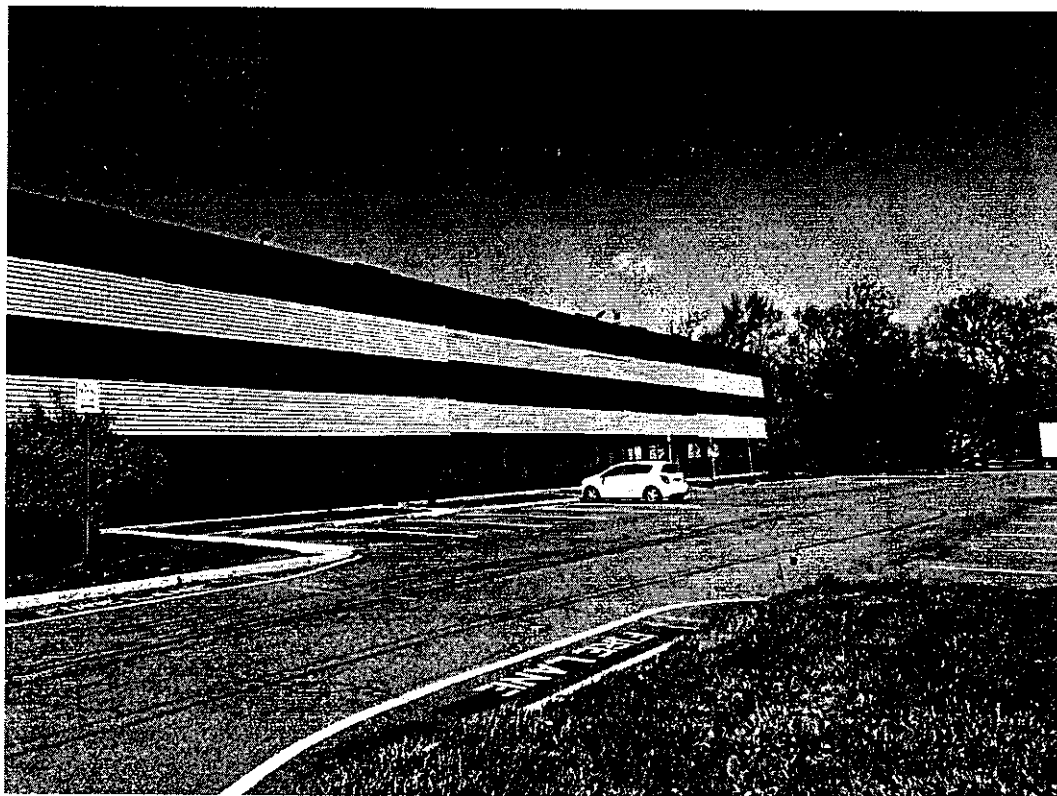
ricciplanning

Paul Ricci, AICP, PP
117 North Avenue
Atlantic Highlands, NJ 07716

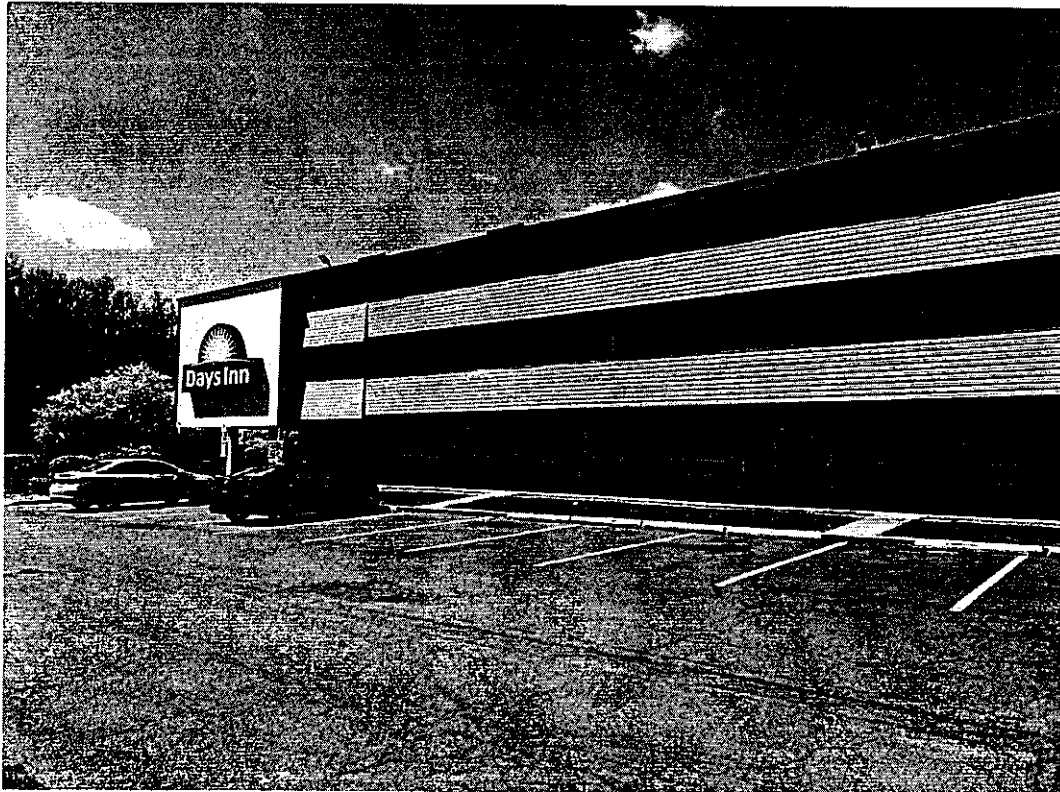
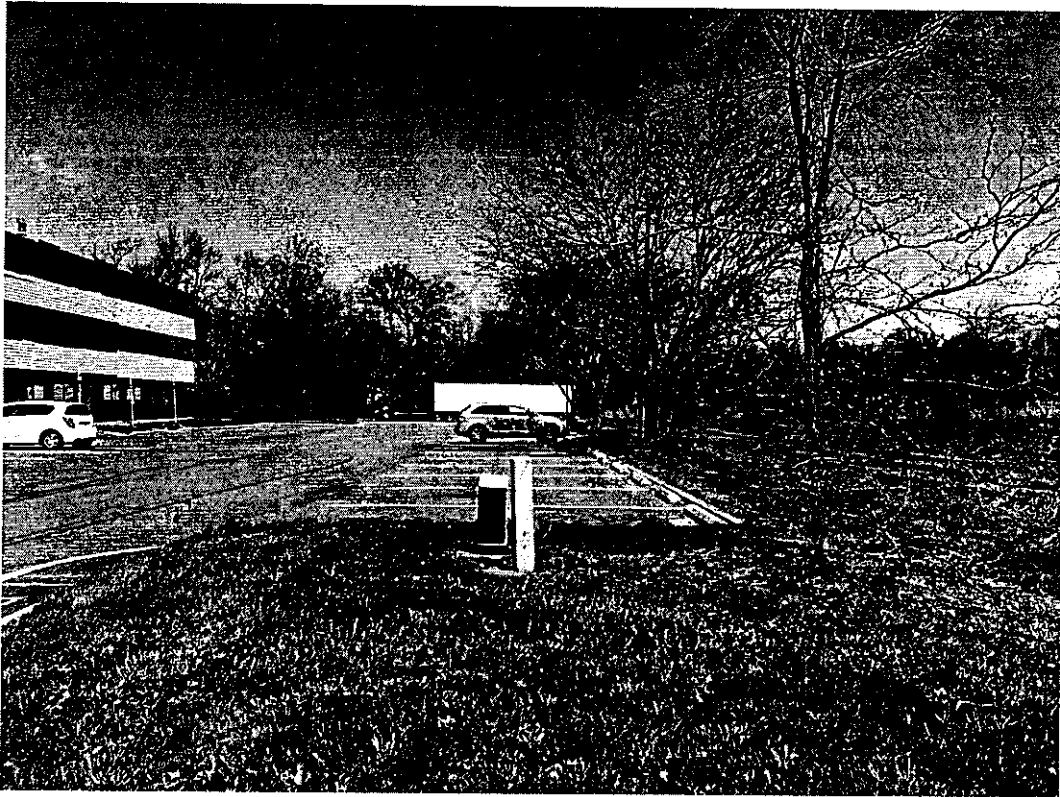
908.642.1470 (Phone)
908.350.4741 (Fax)
paul@ricciplanning.com

Appendix E: Study Area Photographs

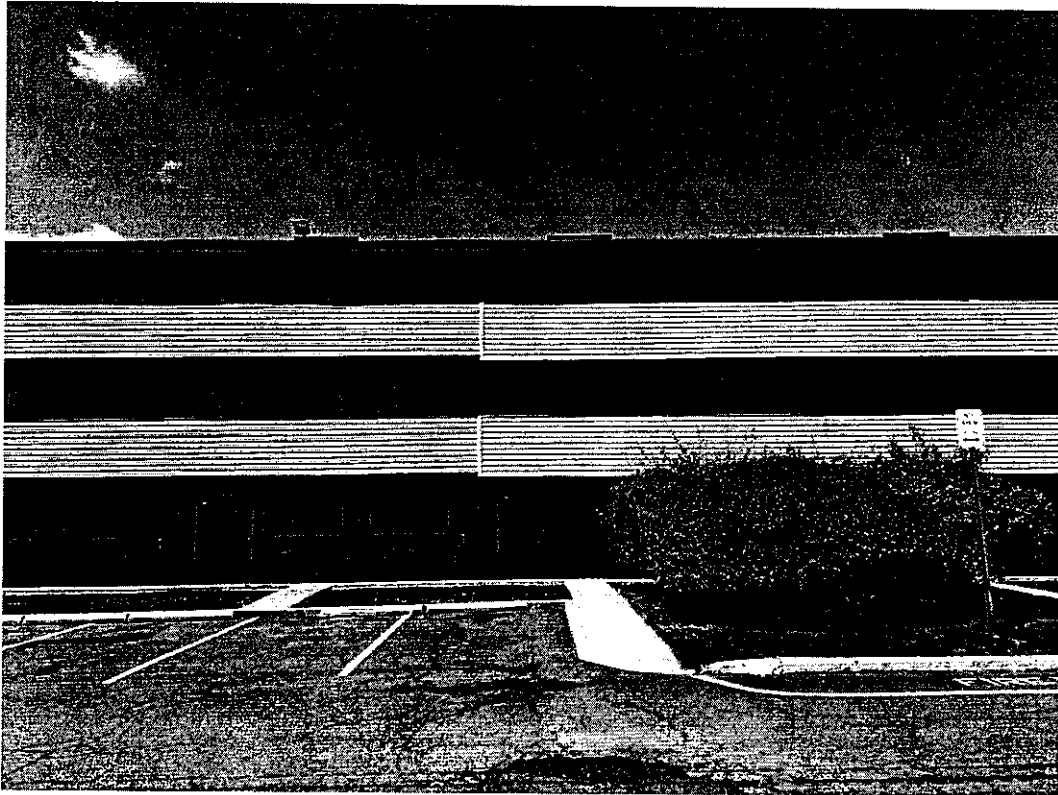
Redevelopment Study and Preliminary Investigation Report
Block 95, Lot 48.13 (208 New Road)



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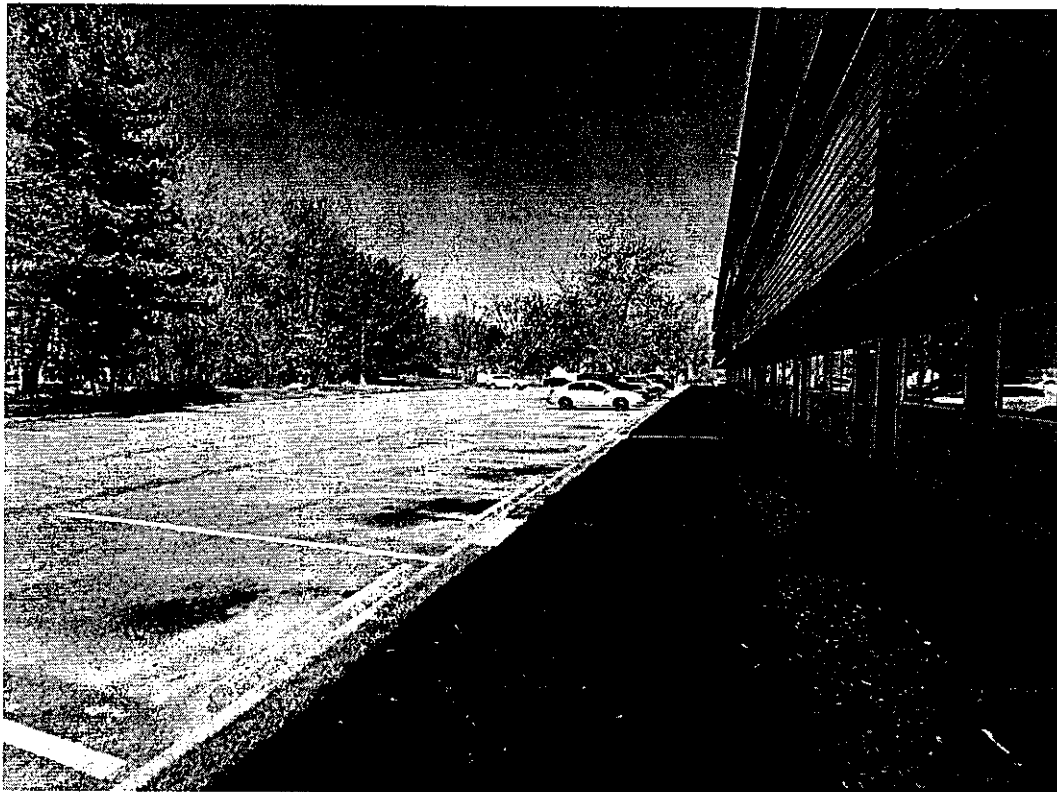
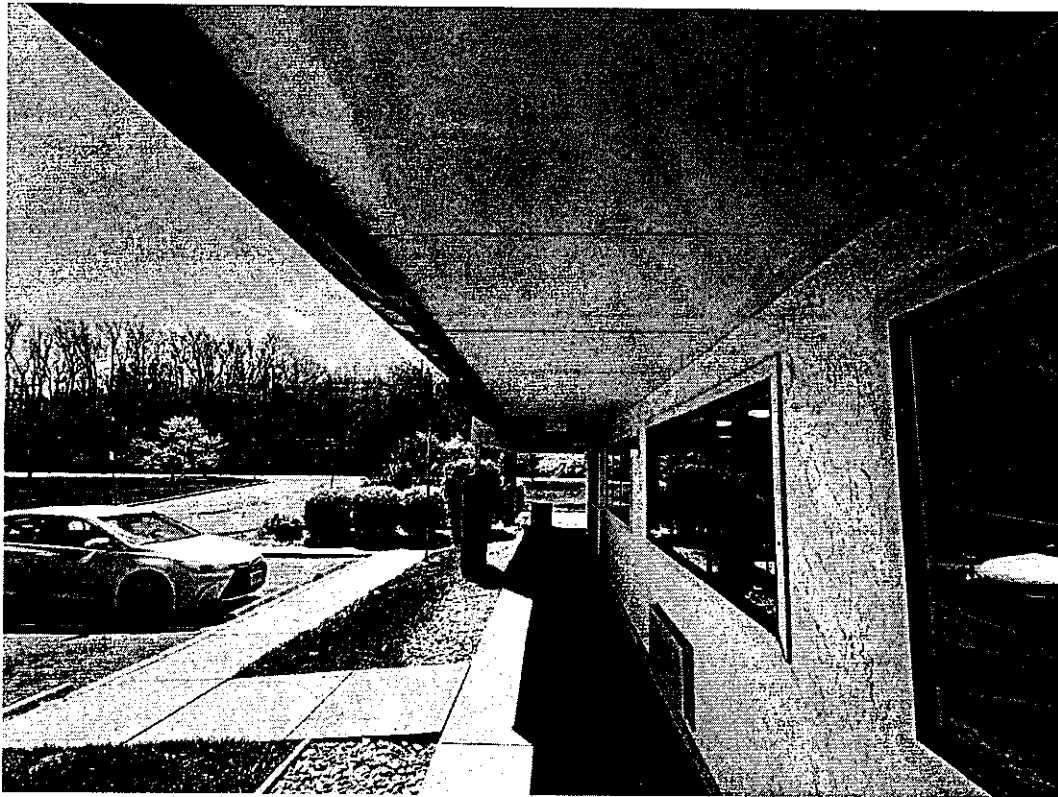
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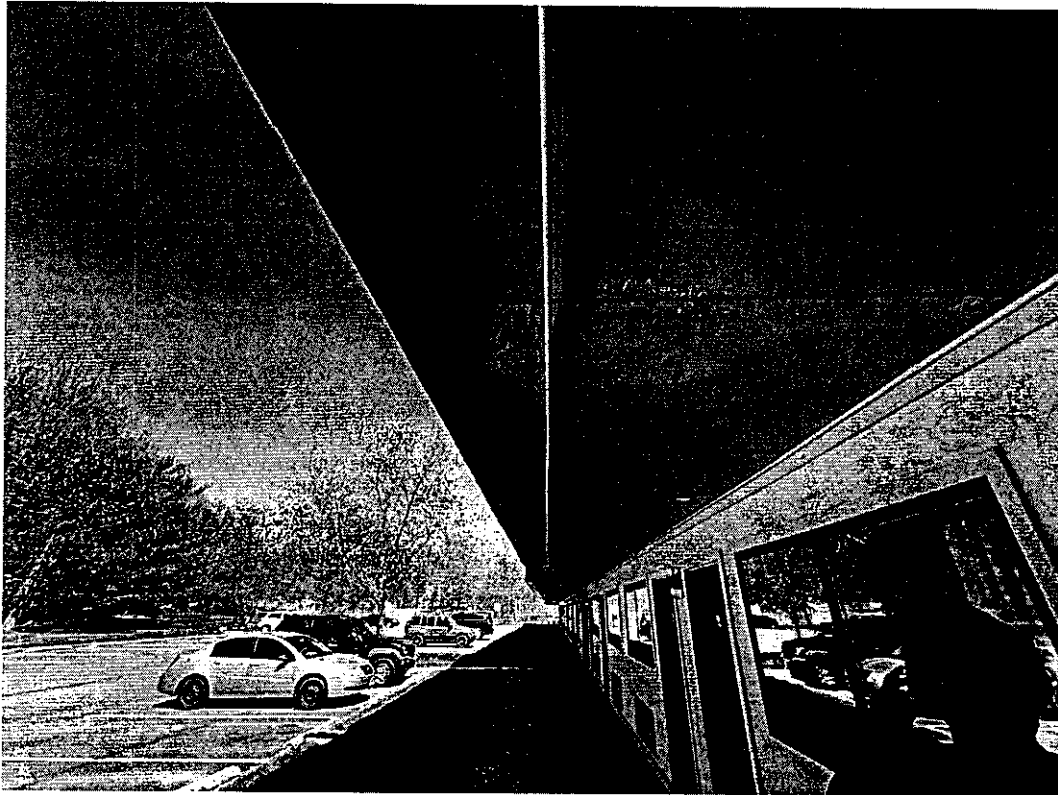
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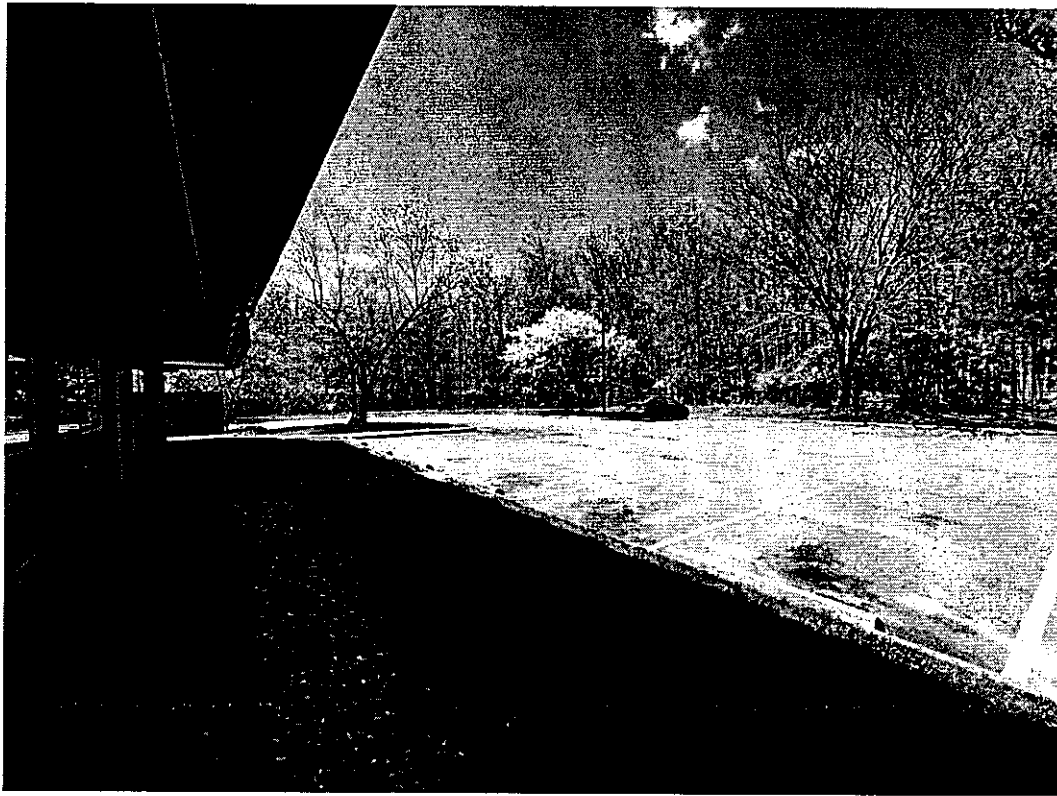
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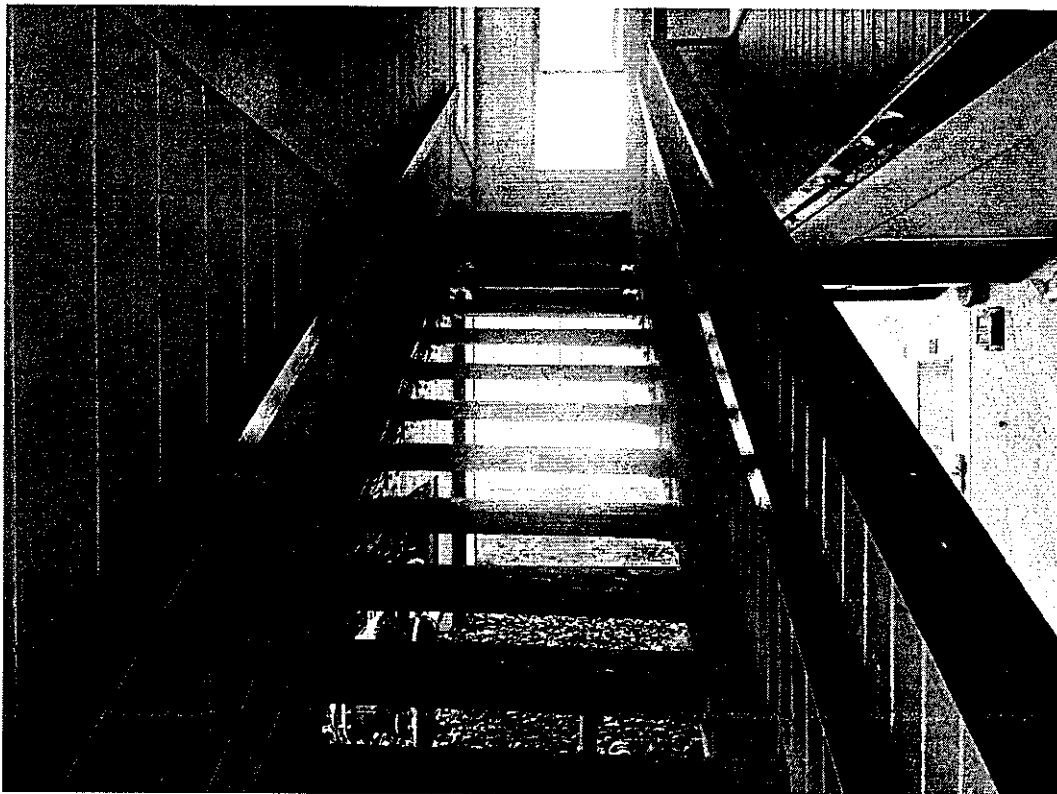
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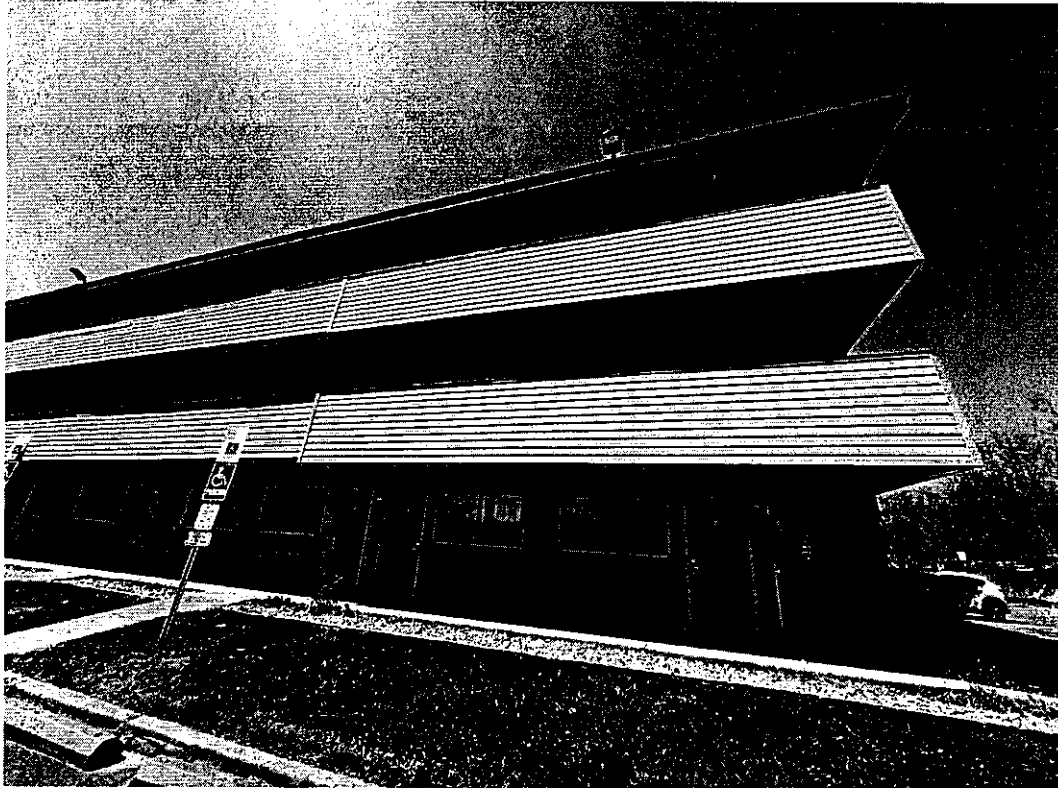
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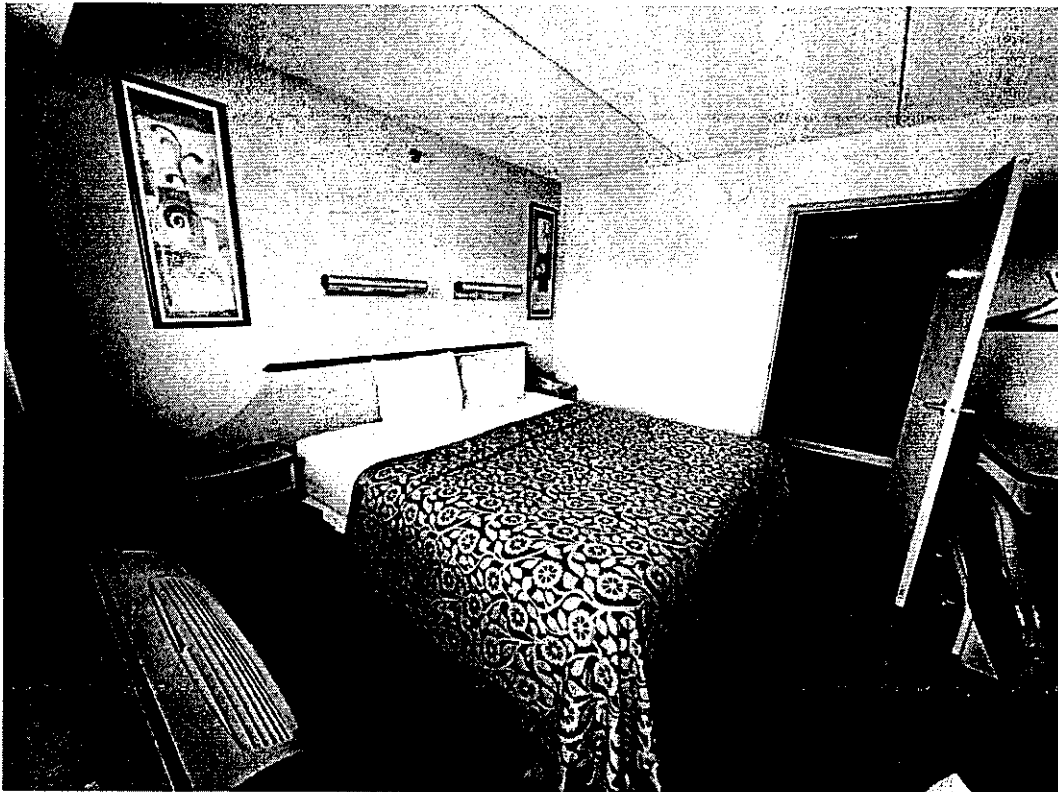
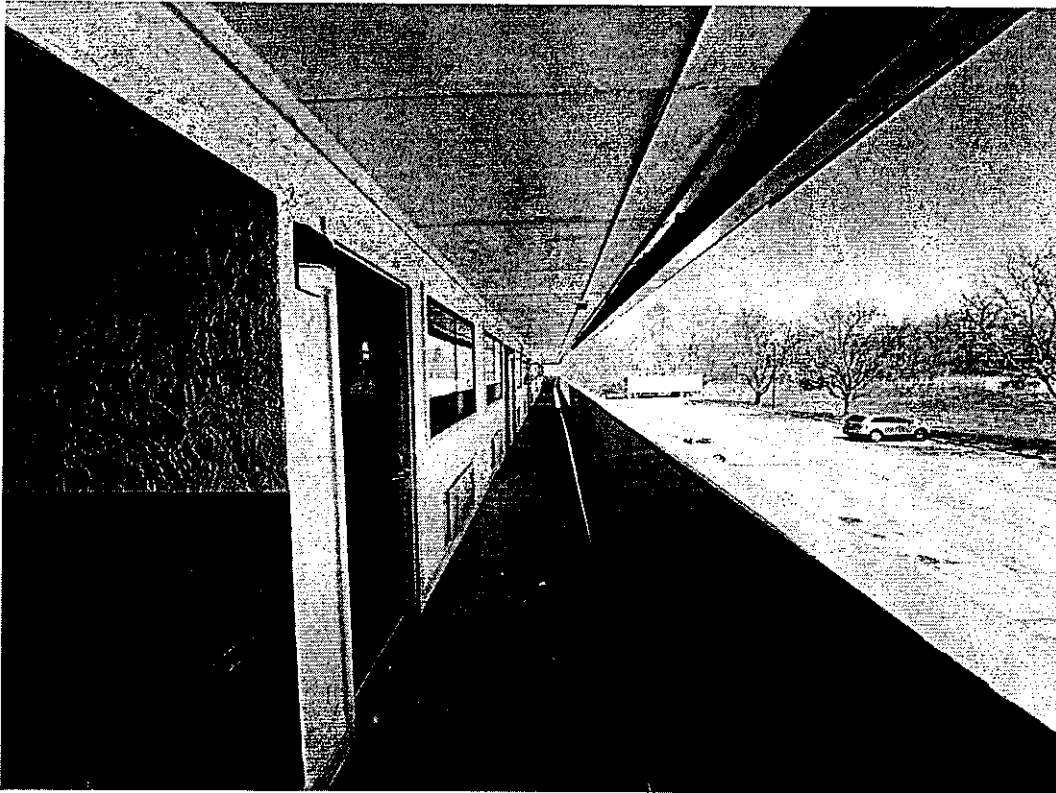
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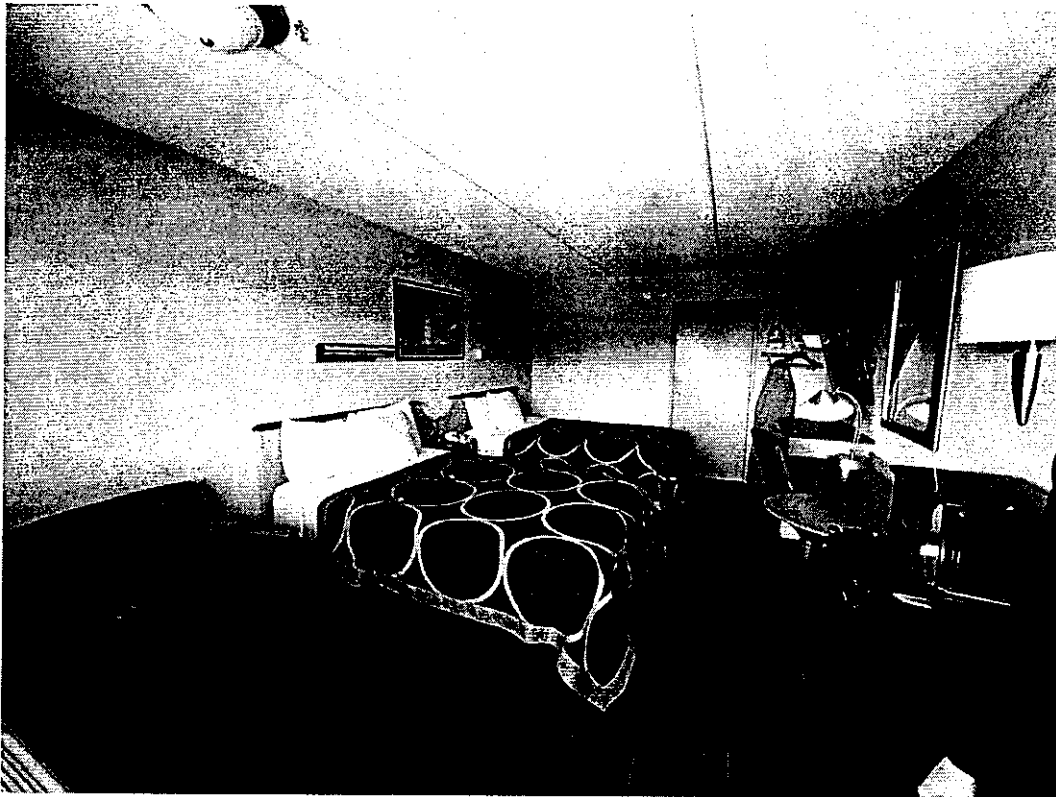
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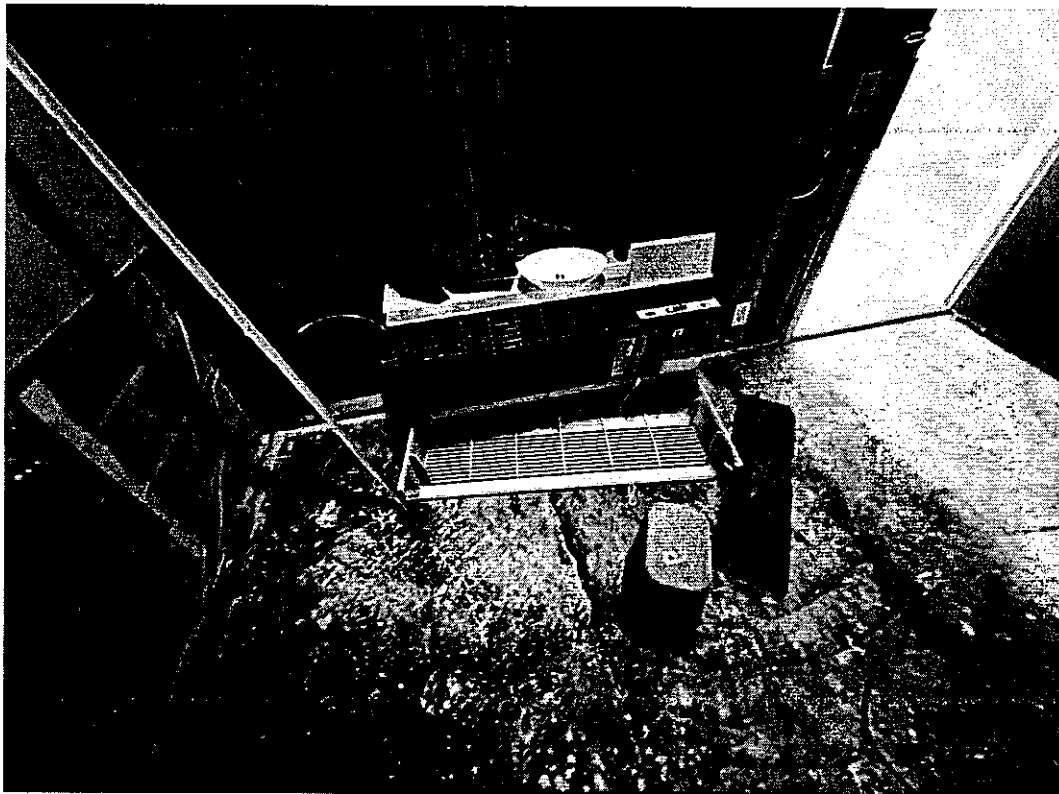
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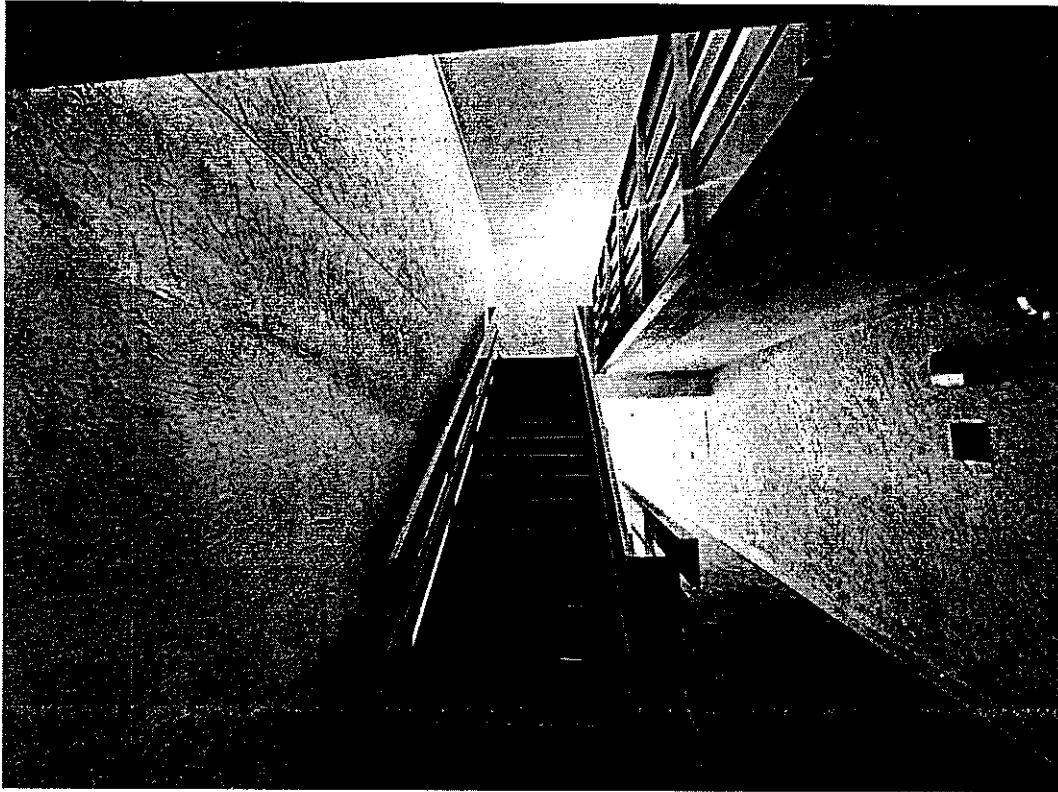
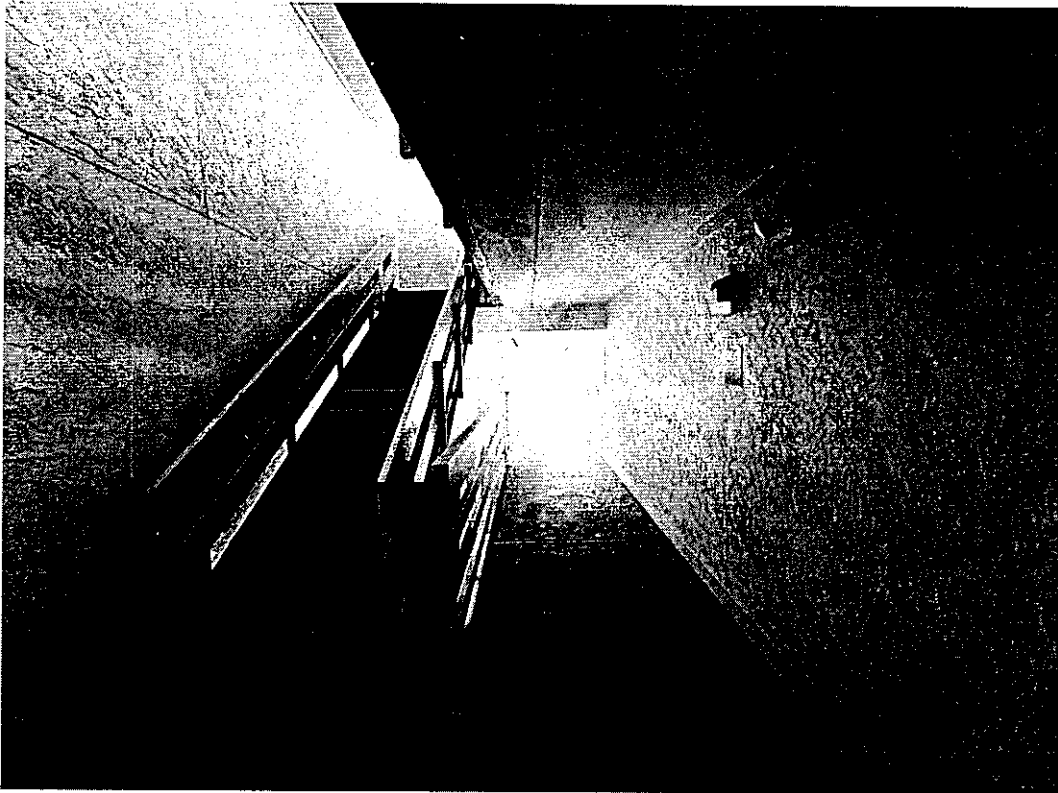
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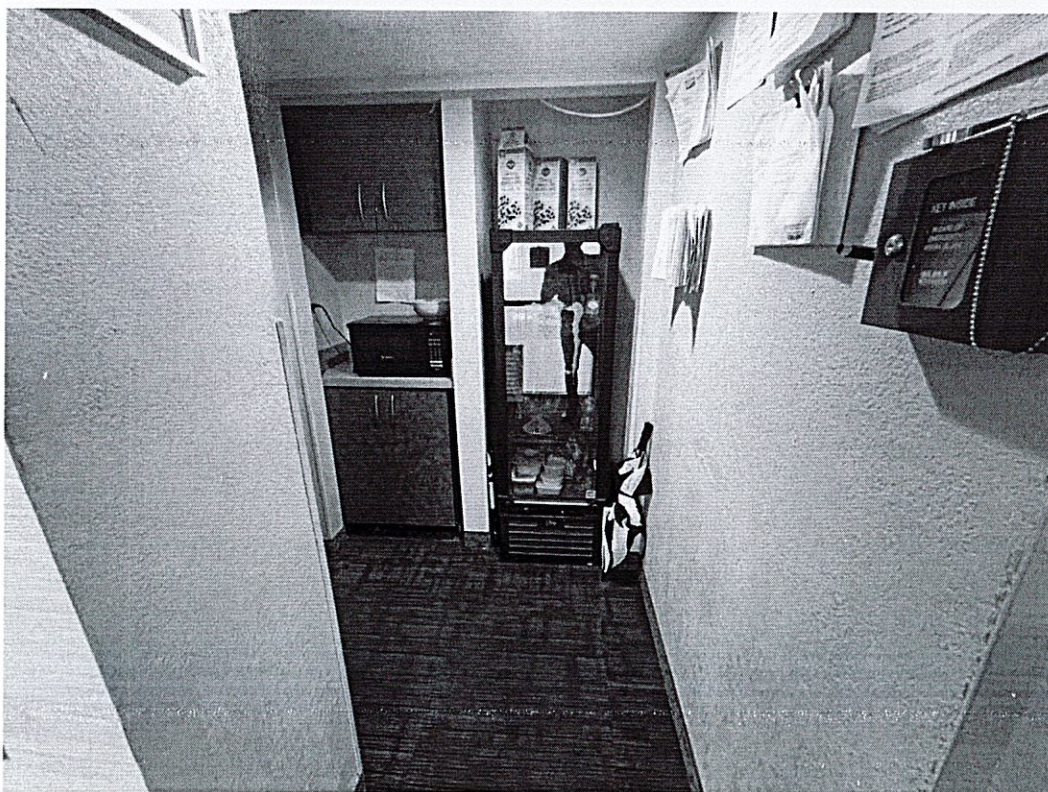
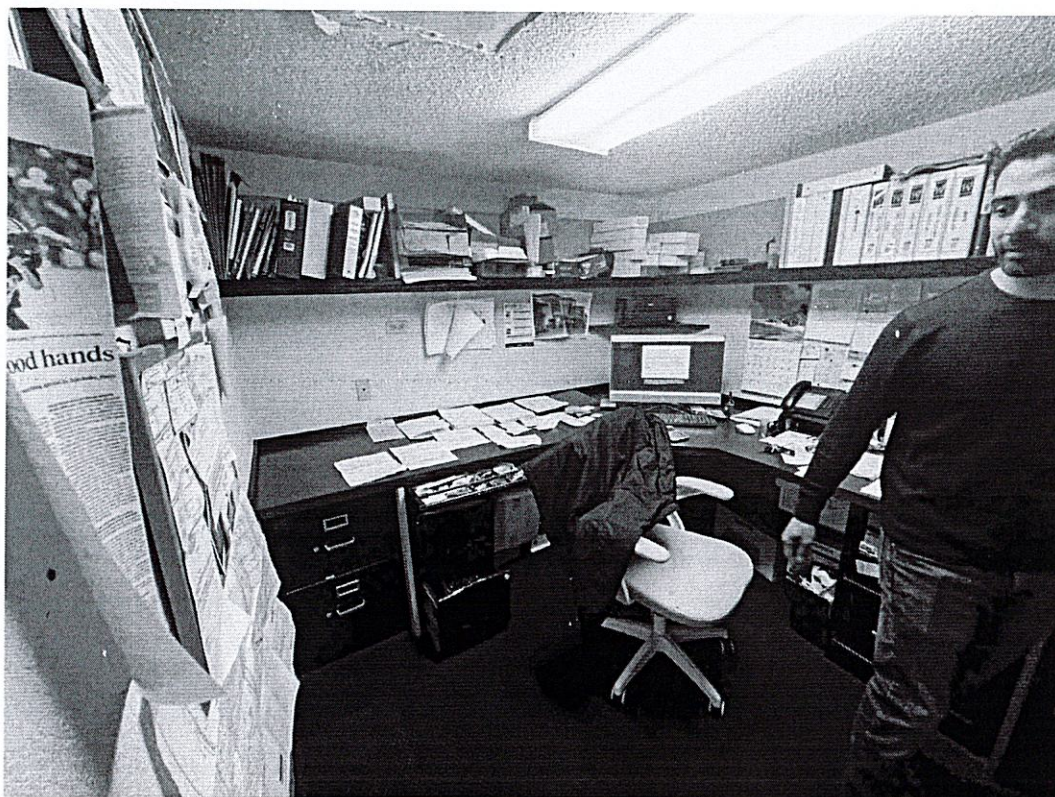
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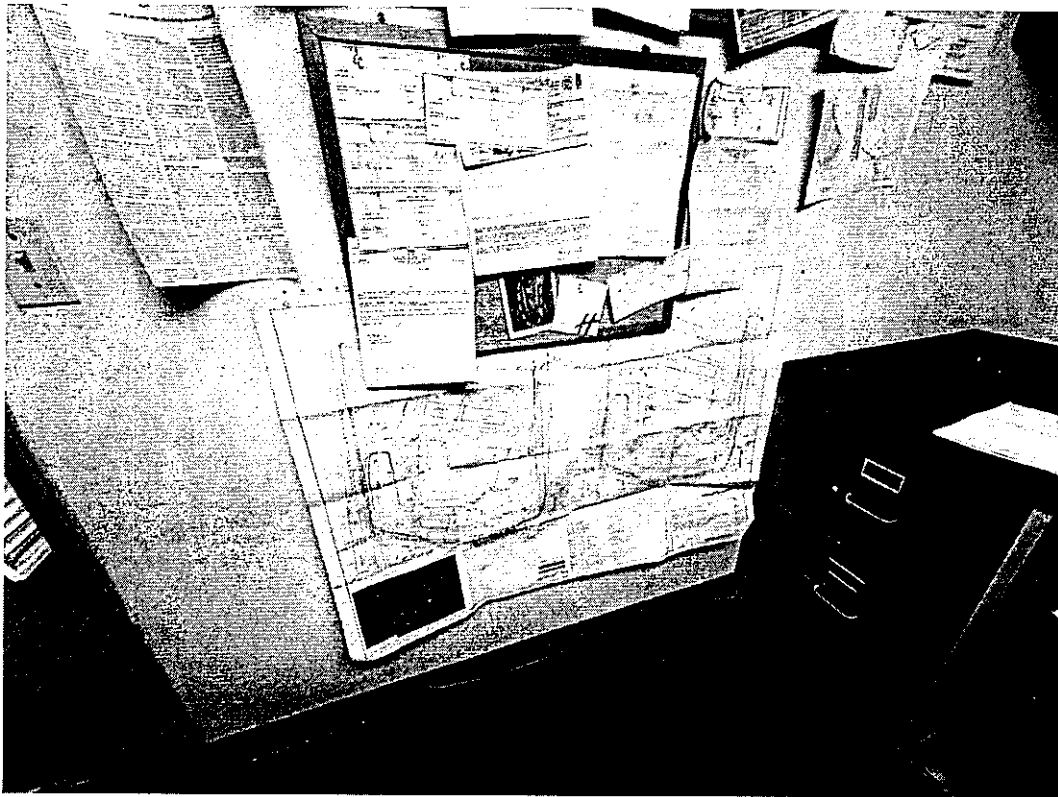
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State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 800
TRENTON, NJ 08625-0800

JACQUELYN A. SUÁREZ
Commissioner

TAHESHA L. WAY
Lieutenant Governor

November 18, 2024

The Honorable Charles Carley
Mayor
Township of South Brunswick
540 Ridge Road
Monmouth Junction, New Jersey 08852

RE: Resolution RES-2024-333 determining Block 95, Lot 48.13 to be an Area in Need of Redevelopment (Non-Condemnation)

Dear Mayor Carley:

The Department of Community Affairs (DCA) received the above-referenced resolution on October 22, 2024. The determination area is situated where development and redevelopment are encouraged pursuant to State law or regulation. Accordingly, pursuant to N.J.S.A. 40A:12A-6b (5)(c), the redevelopment area determination took effect after transmission to the Commissioner of DCA.

The municipality or redeveloper(s) may find the New Jersey Business Action Center (BAC), located in the Department of State, helpful in identifying potential sources of state financing to facilitate the redevelopment of these properties. You may contact the BAC by calling 1-800-Jersey 7 (1-800-537-7397).

This determination is a tribute to the work the Township of South Brunswick has done. Please do not hesitate to contact Keith Henderson at (609) 948-0015 if you need any further assistance.

Sincerely,

Jacquelyn A. Suárez
Commissioner

cc: Barbara Nyitrai, Municipal Clerk
Donna Rendeiro, State Planning Commission
Keith Henderson, Local Planning Services



ORDINANCE (ID # 15368)

Adopting the “Redevelopment Plan Block 95, Lot 48.13 (208 New Road)”

WHEREAS, the Township Council on October 16, 2024, by way of Resolution RES 2024-333 determined that property identified as Block 95, Lot 48.13 on the Township’s Official Tax Maps (208 New Road) (“**Redevelopment Area**”) as an area in need of redevelopment; and

WHEREAS, by letter dated November 18, 2024, the Commissioner of the Department of Community Affairs indicated that she has approved of the determination of the Redevelopment Area; and

WHEREAS, on August 20, 2025, the Township Council adopted a resolution authorizing and directing the Township Planning Board to review a redevelopment plan for the Redevelopment Area entitled the “Redevelopment Plan Block 95, Lot 48.13 (208 New Road)”, dated April 27, 2025 and prepared by Paul Ricci, P.P., pursuant to N.J.S.A. 40A:12A-7(e) (the “**Redevelopment Plan**”); and

WHEREAS, on _____, the Planning Board reviewed the Redevelopment Plan and adopted a resolution recommending that the Township Council adopt the Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-7(e);

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, that:

- I. South Brunswick Code Chapter 62, Land Use, shall be and is hereby amended and supplemented as follows with the addition of the following:

Article IV. Zoning Division 3. Districts

Subdivision XIV(B)(1). ~~Reserved.~~ New Road Redevelopment Plan

Sec. 62-836. Adoption of Redevelopment Plan.

A. The redevelopment plan entitled “Redevelopment Plan Block 95, Lot 48.13 (208 New Road)” dated April 27, 2025 (the “**Redevelopment Plan**”), as attached hereto and incorporated herein by reference, is hereby adopted.

B. It is hereby found that the above-referenced Redevelopment Plan meets the criteria for adoption of a redevelopment plan as set forth in N.J.S.A. 40A:12A-7, and as further specified in the plan itself.

C. It is hereby found and determined that the above-referenced Redevelopment Plan is consistent with the Master Plan of the Township of South Brunswick.

Sec. 62-837. Designation as New Road Redevelopment Zone

The above-referenced Redevelopment Plan shall constitute an overlay zone for the area contained

in the plan. The Zone Map of the Township of South Brunswick, §62-302 of the Code of the Township of South Brunswick, is hereby amended to designate the area set forth in this plan as the “New Road Redevelopment Zone.”

Sec. 62-838. Uses; Intended as Overlay Zone; No Supersession of Underlying Ordinance Requirements

Uses in the redevelopment area shall be limited to those permitted in the Redevelopment Plan. The standards set forth in the New Road Redevelopment Zone shall be an overlay zone, complimenting the applicable provisions of the South Brunswick Land Use Code, Chapter 62. In those instances where the New Road Redevelopment Zone differs from the existing Zoning Ordinance, this Overlay Zone shall govern. In those instances where the New Road Redevelopment Zone is silent as to zone and design guidelines, the existing zoning standards shall apply unless a waiver of any of the zoning standards or design guidelines is granted by the South Brunswick Planning Board as part of a Site Plan Approval.

Sec. 62-839. Plan to remain on file.

The above-referenced Redevelopment Plan shall remain on file in the office of the Township Clerk and shall be available for public inspection during normal business hours.

Sec. 62-840. Authorization of Township limited.

- A. The Township shall be authorized under N.J.S.A. 40A:20-1, et seq., to grant long-term tax exemptions in the New Road Redevelopment Zone.
- B. The Township shall not be authorized under N.J.S.A. 40A:12A-8 to exercise the power of eminent domain to acquire any private property in the New Road Redevelopment Zone.
- II. If any clause, sentence, paragraph, section or part of this ordinance or any other codes or ordinances incorporated herein shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which said judgment shall have been rendered.
- III. This ordinance shall become effective twenty (20) days after its final passage.

The above ordinance was introduced and passed on first reading at a meeting of the Township Council of the Township of South Brunswick held on September 17, 2025 and will be considered on second reading and final passage at a meeting of the Township Council of the Township of South Brunswick to be held at the Municipal Building, Monmouth Junction, New Jersey, at 6:00 p.m. on October 8, 2025 at which time and place any person having an interest therein will be given an opportunity to be heard.

This is to certify that the foregoing is a true copy of an ordinance at the South Brunswick Township Council meeting held on October 8, 2025.

Barbara Nyitrai, Township Clerk

New Road Redevelopment Plan

**Block 95, Lot 48.13
(208 New Road)**

Township of South Brunswick

Middlesex County, New Jersey

April 27, 2025

Prepared by:

ricciplanning

177 Monmouth Avenue
Atlantic Highlands, NJ 07716



Paul N. Ricci, PP, AICP
New Jersey Professional Planner
License No.: LI005570

*The original of this document was signed
and sealed in accordance with New Jersey Law*

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Appendix A: Tax Map

Appendix B: Aerial Imagery

1.0 — Introduction

On February 21, 2024, the South Brunswick Township Council passed Resolution No. 2024-112, which authorized the South Brunswick Planning Board to undertake a preliminary investigation to determine whether Block 95, Lot 48.13 in the Township of South Brunswick may be designated as an area in need of redevelopment in accordance with applicable New Jersey Law.

The South Brunswick Planning Board subsequently undertook such a preliminary investigation and, on July 24, 2024, held a public hearing on the matter. At said hearing, the South Brunswick Planning Board recommended to the Mayor and Township Council that Block 95, Lot 48.13 be designated as an area in need of redevelopment.

Thereafter, with the passage of Resolution No. 2024-333 on October 16, 2024, the South Brunswick Township Council declared Block 95, Lot 48.13, to be designated as an area in need of redevelopment and caused this redevelopment plan to be created.

This redevelopment plan has been prepared to codify the goals, objectives, and specific land use and development standards for the redevelopment of Block 95, Lot 48.13.

2.0 — Statutory Requirements

As per the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.), a redevelopment plan shall include an outline for the planning, development, and redevelopment of a designated redevelopment area that is sufficient to indicate:

- Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements;

Redevelopment Plan

Block 95, Lot 48.13

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- Proposed land uses and building requirements;
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area;
- An identification of any property within the redevelopment area that is proposed to be acquired in accordance with the redevelopment plan;
- Any significant relationship of the redevelopment plan to: the master plans of adjacent municipalities; the master plan of the county within which the municipality is located; and the State Development and Redevelopment Plan, as adopted pursuant to the State Planning Act (P.L. 1985, c.398; C. 52:18A-196 et al.); and,
- Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

The Local Redevelopment and Housing Law further requires that a redevelopment plan describe its relationship to pertinent municipal development regulations.

3.0 — Redevelopment Area Description

The redevelopment area is located in the central part of the Township of South Brunswick and has frontage on New Road and US Route 1. The redevelopment area is approximately 9.79 acres.

Appendix A provides a copy of Sheet 124 of the official tax maps of the Township of South Brunswick. Appendix C provides aerial imagery dating from 2020.

3.1 — Existing Land Use

New Jersey's MOD-IV property tax assessment database indicates that the redevelopment area is assessed as Class 4A (Commercial).

Redevelopment Plan

Block 95, Lot 48.13

(208 New Road)

As of the preparation of this redevelopment plan, the observed land uses of the redevelopment area comported with the assessed land use. The redevelopment area was developed with a hotel and associated improvements.

In addition to the above, it is noted that the redevelopment area was surrounded by a mix of undeveloped lands, a mobile home park, commercial, and single-family residential uses.

4.0 — Overall Goal and Objectives

The overall goal of the redevelopment plan is to eliminate those conditions that cause the redevelopment area to be an area in need of redevelopment. To help achieve this goal, the following objectives are defined:

- Promote redevelopment in a manner that will advance the health, safety, welfare and morals of the community;
- Improve and upgrade the redevelopment area with development that responds to current market needs;
- Enhance South Brunswick's image with high-quality building and site aesthetics;
- Promote the repurposing of sites consistent with sound land use planning; and
- Expand the supply of affordable and market-rate housing units, including units for rent and for sale.

5.0 — Redevelopment Standards

5.1 — Relationship to Municipal Land Development Regulations

The provisions of this redevelopment plan shall supersede the existing zoning and development regulations of the Township of South Brunswick in accordance with New Jersey's Local Redevelopment and Housing Law.

Redevelopment Plan

Block 95, Lot 48.13

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The Official Zoning Map of the Township of South Brunswick is hereby amended to designate the redevelopment area, which consists of Block 95, Lot 48.13, as the “New Road Redevelopment Area.” All other municipal development regulations shall remain applicable.

5.2 — Permitted Land Uses

Permitted land uses of the New Road Redevelopment Plan are described in the following subsections. The redevelopment of the site may be achieved by the adaptive reuse of the existing improvements with or without the addition of new structures, or alternatively, the complete demolition of the existing improvements and replaced with new structures in accordance with this Plan.

5.2.1 — Principal Permitted Land Uses

The principal permitted land uses include the following uses:

1. Multifamily residential development in solely residential and/or mixed-use buildings.
2. Mixed-use buildings containing multifamily residential development and/or any number of the following uses:
 - a. Shops and stores for conduct of retail business;
 - b. Personal and pet service establishments;
 - c. General and administrative offices, as well as for professional services, medical offices and small governmental offices;
 - d. Restaurants including fast food, bars, including rooftop dining and beverage service and drive-thru;
 - e. Delicatessens and bakeries;
 - f. Indoor or outdoor recreation facilities including instructional studios and fitness centers;
 - g. Highway-oriented commercial establishments, including automobile sales and services, home supply and appliances, and liquor stores;

Redevelopment Plan*Block 95, Lot 48.13**(208 New Road)*

- h. Ministorage warehousing for the sole purpose of providing rental and lease storage space for area residents, not commercial or wholesale distribution;
 - i. Banks and financial institutions, including ATM machines both free-standing or as part of a financial institution;
 - j. Attended laundry and retail dry cleaning services, but not a large scale dry-cleaning plant;
 - k. Parcel package shipping stores, copy centers and mailing centers;
 - l. Adult and child day care centers;
 - m. Assisted living, congregate care, memory care, rehabilitation care, with or without associated independent living residential units;
 - n. Cellular and Wi-Fi antennas attached to existing structures and buildings using stealth technology, e.g., flush-mounted and painted to match the building;
 - o. Gasoline sales and convenience store; and
 - p. Newly constructed Hotel or extended stay lodging facility.
3. Any combination of single use or mixed or multiple use building or buildings that include any of the permitted uses enumerated in 1 and 2. a-p above including a multi-tenanted retail building or buildings.

More than one principal permitted land use shall be permitted on a given lot.

5.2.2 — Permitted Accessory Land Uses

The permitted accessory land uses include the following:

- 1. Off-street parking and loading;
- 2. Bicycle racks;
- 3. Electric vehicle charging facilities;
- 4. Stormwater management facilities;
- 5. Utility infrastructure;
- 6. Waste and recycling facilities;

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7. Signage in conformance with the provisions of this redevelopment plan;
8. Mailbox cluster;
9. Patios including outdoor dining;
10. Food trucks and mobile vending;
11. Community buildings;
12. Vending machines;
13. Ground maintenance storage buildings;
14. Indoor and outdoor recreation facilities;
15. Fitness center;
16. Fire pits;
17. Clubhouse or lounge areas;
18. Dog runs;
19. Sidewalks and pathways;
20. Fences;
21. Guardhouses;
22. Landscaping;
23. Lighting;
24. Management offices; and
25. Other accessory uses and amenities customarily incidental to the principal permitted use as approved by the Planning Board.

5.2.2 — Permitted Conditional Land Uses

The permitted conditional land uses include the following:

1. Billboards, subject to the provisions of this redevelopment plan.

5.3 — Building and Site Requirements

The building and site requirements are outlined in the following subsections.

5.3.1 — Bulk Regulations

The following bulk regulations shall apply:

Redevelopment Plan

Block 95, Lot 48.13

(208 New Road)

1. Lot Size Requirements:
 - a. Minimum Lot Size: 1.0 acres
 - b. Minimum Lot Width: 200 feet
2. Setback Requirements — Principal Buildings:
 - a. Minimum Front Yard Setback (US Route 1): 100 feet
 - b. Minimum Front Yard Setback (Other Rights-of-Way): 75 feet
 - c. Minimum Rear Yard Setback: 25 feet
 - d. Minimum Side Yard Setback: 25 feet
3. Setback Requirements — Accessory Buildings:
 - a. Minimum Front Yard Setback (All Rights-of-Way): Behind the principal building
 - b. Minimum Rear Yard Setback: 25 feet
 - c. Minimum Side Yard Setback: 25 feet
4. Height Requirements:
 - a. Maximum Height (Feet): 65 feet, as measured from the mean ground level to the deckline of a flat roof or the midpoint of a sloped roof
 - b. Rooftop equipment, stair towers and similar structures shall not exceed 10 feet above the roof
 - c. Parapets shall not be taller than 5 feet above the deckline of a flat roof or the midpoint of a sloped roof
5. Maximum Building Coverage: 45 percent
6. Maximum Impervious Coverage: 65 percent
7. Minimum Open Space and Landscaping: 20 percent of the total lot area
8. Maximum number of residential units: 208 units. Residential units may be for sale and/or rent.

5.3.2 — Affordable Housing Requirements

The following affordable housing requirements shall apply:

Redevelopment Plan*Block 95, Lot 48.13**(208 New Road)*

1. A minimum of 20 percent of all residential units shall be qualified affordable housing units. All such units shall conform with all applicable requirements of Article 16 of Chapter 62, of the Code of the Township of South Brunswick or as may be amended or supplemented as part of the Township's Fourth Round Affordable Housing Obligation.
2. Affordable housing units may be clustered in any existing building that has been renovated for such use and provide units within such a renovated building and/or, affordable units may be located within newly constructed buildings that contain affordable and market-rate housing units, and/or any combination of the renovated and proposed structures.

5.3.3 — Building Design

Buildings shall be of high-quality design and contribute to an improved appearance and image of the redevelopment area and surrounding areas. To achieve this, the following regulations shall apply:

1. All buildings in their design and layout shall be an integral part of the total development of the redevelopment area.
2. All buildings shall have finished materials on all elevations.
3. Building materials shall be of high durability and high quality.
4. Buildings may not be painted in bold colors, patterns, checks or stripes.
5. The use of earth-tone colors (e.g., browns, beige, grays, soft greens, and similar) is encouraged on all buildings. Accent or complementary colors that harmonize with the main façade color(s) shall be permitted for trim and other building details.
6. Large, blank walls shall not be permitted. To avoid such walls, buildings shall use horizontal banding, fenestration, landscaping, façade articulation and/or any other means to the satisfaction of the South Brunswick Planning Board.
7. Fenestration:

Redevelopment Plan*Block 95, Lot 48.13**(208 New Road)*

- a. For all uses except ministorage warehousing as described in Section 5.2.1 of this redevelopment plan, buildings must have window openings of at least 30 percent of first-floor façade area and 25 percent of upper floor façade area along all roadway frontages.
 - b. For ministorage warehousing, buildings must incorporate a minimum of 25 percent glass on facades of office areas and prohibit more than one bay door facing a public roadway.
8. Building rooflines visible from a public street or public parking area shall incorporate features to create a varied and visually distinctive roof form.
9. The inclusion of architectural treatments at building corners is encouraged as a means of enhancing architectural variety. When provided, such treatments shall properly wrap around the corner to avoid a “pasted-on” appearance and improve aesthetics.
10. Multi-tenant buildings shall provide offset entrances, windows, and/or other design features for all ground-floor tenants. At a minimum, the upper floor of said buildings shall be coordinated with the ground floor through the use of common materials and colors.
11. Exterior-mounted mechanical and electrical equipment shall be architecturally screened or placed on a rooftop in a location that is not visible from public or private roadways.
12. Residential areas shall not be accessible from areas non-residential portions of a mixed-use building. Separate entrances for residential and non-residential portions of mixed-use buildings shall be provided.

5.3.4 — Parking, Traffic, and Loading Requirements

The following parking requirements shall apply:

1. A traffic impact study shall be required for all development projects within the redevelopment area. Said traffic impact study shall be sealed and prepared by a licensed engineer and address level of service impacts for all

Redevelopment Plan*Block 95, Lot 48.13**(208 New Road)*

offsite roads and intersections that may be significantly affected by development of the project. In addition, the report shall address all provisions required for safe vehicular on-site circulation and for safe vehicular ingress and egress from the project site.

2. Off-street parking shall be provided at the following rates:
 - a. Housing units:
 - i. Studios: 1.0 parking space per unit.
 - ii. One-bedroom: 1.25 parking spaces per unit.
 - iii. Two-bedroom: 1.5 parking spaces per unit.
 - iv. Three-bedroom: 2.0 parking spaces per unit.
 - b. Commercial uses: 1.0 space per 300 square feet of gross floor area.
 - c. All other uses: Parking shall be provided in accordance with the standards of Section 62-1791 of the Code of the Township of South Brunswick. Where a standard is not provided for a specific use in Section 62-1791, the Planning Board shall determine the parking requirement at the time of application.
3. Available on-street parking shall not be used in fulfillment of any part of the off-street parking requirements.
4. Shared parking agreements may be used to right-size parking by time of day per demand. All shared parking agreements shall be prepared to the satisfaction of the Township Engineer and Planning Board.
5. Should an applicant demonstrate parking requirement conformance for uses included in the most recent Parking Generation Manual of the Institute of Transportation Engineers (ITE), and the Township Engineer and Planning Board find same to be reasonable, the ITE standard may be applied and same shall not be considered to be a deviation from this redevelopment plan.
6. Electric vehicle charging infrastructure shall be provided in accordance with applicable law. All electric vehicle charging infrastructure shall conform to

Redevelopment Plan*Block 95, Lot 48.13**(208 New Road)*

the requirements of Section 62-209 through Section 62-212 of the Code of the Township of South Brunswick and applicable state law.

7. Off-street loading shall be provided to the satisfaction of the Township Engineer and Planning Board.
8. Accessible parking shall be provided in accordance with applicable law.
9. Visitor parking for housing units shall be encompassed in the applicable parking standard as provided in this section of the Redevelopment Plan.
10. The design of parking, traffic and loading areas shall not impair emergency access for emergency vehicles. To ensure adequate access, all applications for development within the redevelopment area shall be reviewed by the Township's police and fire chiefs.
11. Additional parking demand management techniques, such as permit parking systems, active towing protocols, and supportive facilities for bicycles and other non-motorized forms of transportation may be employed. Any such technique shall be designed and implemented to the satisfaction of the Township Engineer and Planning Board.
12. Driveway openings shall not exceed 42 feet in width.
13. Interior drive aisles shall not exceed 24 feet in width for two-way traffic and 15-feet in width for one-way traffic.
14. The standard parking space dimensions shall be 9 feet by 18 feet with the following exceptions:
 - a. Compact parking spaces shall be a minimum of 8.5 by 16 feet; and,
 - b. Accessible parking spaces shall comply with dimensional requirements set forth in applicable law.
15. The required length of parking spaces may be reduced by up to 2 feet where it is demonstrated that vehicles are permitted to overhang into a landscape area by a matching length. When such reduction is applied, the landscape area overhung by vehicles shall not be damaged or otherwise reduced in quantity to the satisfaction of the Township Engineer and Planning Board. No

reduction shall be permitted where a vehicle would overhang a sidewalk or walkway.

16. Compact parking spaces shall be clearly designated using pavement markings or signage, or both, and may encompass up to 25 percent of the total number of parking spaces provided.
17. Stacked parking may be provided within interior parking garages to provide tandem parking for housing units, with the exception of 1-bedroom apartments.
18. Parking areas shall be setback 20 feet from property lines and 5 feet from buildings.

5.3.5 — Lighting

1. A lighting plan shall be submitted. All lighting plans shall include lighting within all parking areas, and at the bases and entrances of all buildings.
2. All lighting shall be selected to comply with “dark sky” standards and shielded to minimize leakage into the night sky and prevent direct glare onto adjacent properties. The South Brunswick Planning Board shall give final approval of all aspects of the lighting plan.
3. The maximum color temperature of lighting shall be 3,500°K.
4. No light standard shall be higher than 20 feet.
5. The maximum permitted footcandles at property lines shall be 0.1 footcandles, except as measured at entry driveways.

5.3.6 — Landscaping, Screening, and Buffering

The following requirements shall apply to landscaping, screening, and buffering:

1. The applicant shall provide a detailed landscaping plan that has been prepared by a licensed landscape architect.
2. At a minimum, pervious groundcover (e.g., vegetation, lawn, stone) shall be provided on all surfaces that are not used for buildings or surface parking.

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3. To the extent possible, street trees shall be planted along all rights-of-way, with a maximum of 50 feet between each planting. Street trees shall not be provided where they would obstruct vision of motorists, or along the US Route 1 frontage. Trees shall have a minimum caliper of 3 inches.
4. Foundation plantings shall be placed along a minimum of 50 percent of building façades, except where a loading area is adjacent to a building. Above-ground planters may be substituted by the Planning Board when foundation plantings are not possible.
5. The requirements of Chapter 118 of the Code of the Township of South Brunswick, entitled "Vegetation," shall apply. Where there is a conflict between any provision of said Chapter 118 and this redevelopment plan, the requirements of this redevelopment plan shall apply.
6. Screening and buffering shall be provided to reduce visual impacts and noise perception off-site.
7. The following requirements shall apply to screening:
 - a. Fences shall be permitted in any rear or side yard.
 - b. Fences shall be set back a minimum of 5 feet from any property line.
 - c. Fences up to 8 feet in height shall be permitted where necessary for screening and reducing noise perception, or as may be required by the Planning Board.
 - d. Fences shall not impact sight distance at any roadway intersection or driveway opening.
8. The following requirements shall apply to buffering:
 - a. Minimum buffer width to US Route 1: 100 feet
 - b. Minimum buffer width to other property lines: 20 feet
 - c. Buffer areas shall remain natural and contain evergreen and deciduous trees and shrubs, berms, turf areas and similar features.
 - d. Notwithstanding the foregoing requirement, stormwater management basins, green infrastructure improvements, utility infrastructure, mailbox

Redevelopment Plan*Block 95, Lot 48.13**(208 New Road)*

clusters, fencing and walls, lighting, and sound attenuation devices shall be permitted within required buffer areas, subject to any screening requirements of the Planning Board.

9. The Redevelopment Plan is subject to New Jersey Department of Environmental Protection (NJDEP) Flood Hazard Area Control Act (FHA) rules and regulations and the Delaware and Raritan Canal Commission (DRCC) regulations and approvals and said permits and approvals have precedence over this Plan's regulation.
10. The Redeveloper may undertake limited site disturbance within the NJDEP FHA and DRCC regulated areas in accordance with the permits issued by each agency as necessary to vest any permits and approvals.

5.3.7 — Signage

The following requirements shall apply to all signage with the exception of billboards:

1. Monument Signage:
 - a. Minimum Setback: 10 feet from property line
 - b. Maximum Height: 6 feet
 - c. Maximum Gross Area: 48 square feet per side
 - d. Maximum Quantity: 1 at each point of ingress
2. Wall Signage:
 - a. Minimum Setback: Not applicable (wall signage must be provided on a principal building)
 - b. Maximum Height: 15 feet, provided that no wall signage shall extend above the first floor of a multistory building
 - c. Maximum Gross Area: 5 percent of façade surface or 250 square feet, whichever is less

Redevelopment Plan*Block 95, Lot 48.13**(208 New Road)*

- d. Maximum Quantity: 2 per tenant, provided that: no more than 1 wall sign per tenant is provided on a single façade; and the tenant occupies space along the façade where signage is provided
- 3. Directional Signage:
 - a. Minimum Setback: 5 feet from property line
 - b. Maximum Height: 3 feet
 - c. Maximum Gross Area: 9 square feet
 - d. Maximum Quantity: Not applicable

In addition to the above, it is noted that one freestanding project sign per street frontage may be provided. When provided, freestanding signage shall not exceed 25 feet in height and 200 square feet per side.

While all signage may have internal or external illumination, the specific type of illumination shall be consistent throughout the redevelopment area.

Temporary signs unrelated to the advertisement of available space within the redevelopment area shall be prohibited.

No signage shall be located within a sight triangle.

Signage for accessible parking spaces shall be provided in accordance with applicable law.

5.3.8 — Billboards

Billboards shall be subject to the following conditions:

- 1. Maximum sign area showing to one direction shall be 672 square feet with copy extensions beyond the basic billboard sign not to exceed ten percent of the basic billboard area.
- 2. The minimum setback from lot lines shall be 25 feet or equivalent to the height of the billboard, whichever is greater.
- 3. Maximum billboard height shall be 40 feet as measured from the existing grade to the top of the billboard.

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4. Minimum distance between billboards along the same side of a given right-of-way shall be 1,000 feet.
5. Billboards shall be located no closer than 800 feet to an existing residential property located outside of the redevelopment area; provided, however, that this distance may be reduced to 500 feet if the applicant can demonstrate that the proposed sign will not be capable of being seen at any point from a given residential property.
6. Billboards shall be designed and constructed so that the advertising surface is capable of being seen and comprehended without visual aid.
7. Lighting for any billboard shall be designed to restrict any glare and spillover to the immediate area of the sign.
8. Landscaping shall be required to achieve a positive aesthetic impression of the general sign area.
9. Visual impact, particularly on surrounding properties, shall be minimized and addressed through the use of landscaping, screening, berming, grading and fencing.
10. Any application for construction of a billboard shall require the applicant to comply with the Roadside Sign Control and Outdoor Advertising Act as contained in N.J.S.A. 27:5-5 et seq., as well as any other applicable statutes, laws and regulations.
11. No more than one billboard structure shall be permitted within the redevelopment area.
12. The South Brunswick Planning Board shall review and give final approval on all aspects of billboard design and construction, including but not limited to traffic safety, lighting, landscaping, visual impact, drainage and other similar elements of site plan reviews.

Redevelopment Plan

Block 95, Lot 48.13

(208 New Road)

5.3.9 — Disposal Requirements

Garbage and recycling facilities shall be provided. To the extent possible, such facilities should be provided within a principal building or within the immediate vicinity, such as within a trash compactor at a loading dock, or within an adjacent trash enclosure. Additionally, such facilities shall be screened from view from any public right of way.

In addition to the above, a waste management plan in accordance with the standards of Section 5.5 of this redevelopment plan shall be submitted to the South Brunswick Planning Board.

5.3.10 — Other Standards

The following additional standards shall apply in the redevelopment area:

1. Existing obsolete improvements shall be demolished and disposed of in accordance with applicable law and regulations.
2. Any of the permitted uses set forth in the redevelopment plan may operate 24 hours 7 days per week as business needs dictate.
3. Utility improvements shall be located underground to the greatest extent possible.
4. All setback requirements provided in this redevelopment plan apply to the redevelopment area overall. Should the redevelopment area be subdivided, setback criteria and area requirements for internal lot lines shall not be applicable.
5. All projects shall comply with applicable stormwater management requirements, including but not limited to those provided in Article VI of Chapter 62 of the Code of the Township of South Brunswick, entitled “Stormwater Management.”

5.5 — Waste Management Plan

The following standards shall apply:

Redevelopment Plan*Block 95, Lot 48.13**(208 New Road)*

1. A waste management plan shall be prepared for all redevelopment projects within the redevelopment area.
2. Waste management plans shall focus on refuse and recycling and, to the extent relevant, hazardous waste handling and processing.
3. At a minimum, waste management plans shall include information on the: types of waste; hazards presented by waste, if any; and frequency of collection. Waste management plans shall also discuss applicable state and federal requirements and demonstrate conformance therewith.
4. The South Brunswick Planning Board shall give approval of all aspects of the waste management plan. This applies to the initial waste management plan and any future revisions.
5. The South Brunswick Planning Board shall have the right to review the waste management plan at any point in the future and cause same to be modified if found to be deficient.

6.0 — Redevelopment Plan Implementation**6.1 — Planning Board Review**

Pursuant to N.J.S.A. 40A:12A-13, all applications for development within the redevelopment area shall be submitted to the Planning Board for review and approval. Any Planning Board approval shall contain a condition that approval is contingent upon designation of a fully executed Redevelopment Agreement.

The following provisions shall govern review of any proposed redevelopment and rehabilitation projects:

6.1.1 — General Requirements

1. No building permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development or change of use for any properties or building within the area governed by the

Redevelopment Plan

Block 95, Lot 48.13

(208 New Road)

redevelopment plan without prior review and approval of the work by the Planning Board.

2. Regular maintenance and minor repair shall not require Planning Board review and approval.
3. Redeveloper shall be permitted to apply for and obtain any and all permits, approvals and authorizations required by any provision of the South Brunswick Township code or by any State law or regulation for use and occupancy of the existing buildings as multi-family dwellings, and for any interior or exterior construction involving modifications to any existing building to adapt said building to multi-family residential use, and may apply for and obtain certificates of occupancy for multi-family use of any existing building and for accessory use or support functions of any existing building, without first obtaining site plan approval. Site plan approval for modifications to the 208 New Road Site, including changes to the parking configuration or addition of parking spaces, shall be required if and to the extent provided for in the Land Development section of the South Brunswick Township code and applicable provisions of the M.L.U.L.
4. The Planning Board shall conduct its review pursuant to N.J.S.A. 40:55d-1 et seq. and the Township of South Brunswick's land development ordinances.
5. As part of the site plan approval, the Planning Board may require the redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53. The performance guarantees shall be in favor of the Township of South Brunswick and the Township Engineer shall determine the amount of any performance guarantees.
6. Any subdivision of land within the area governed by the redevelopment plan shall be in compliance with same and reviewed by the Planning Board pursuant to N.J.S.A. 40:12A-1 et seq. and N.J.S.A. 40:55D-1 et seq.

Redevelopment Plan

Block 95, Lot 48.13

(208 New Road)

7. Once a property has been redeveloped in accordance with the redevelopment plan, it may not be converted to any use not expressly permitted in same. No nonconforming use, building, or structure may be expanded or made more nonconforming in nature after adoption of this redevelopment plan. A use or structure not conforming to the requirements of this redevelopment plan may not be reconstructed in the event of its destruction. The Planning Board shall determine the issue of whether the nonconforming use, building or structure has been “destroyed.”
8. Any and all definitions contained within the redevelopment plan, be they expressed or implied, shall prevail. In the absence of a definition, the definition found within the Township’s zoning and land development ordinances shall prevail. Any and all definitions that are found to be inconsistent with N.J.S.A. 40A:12-3 shall be rendered invalid.
9. A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the Township’s land development ordinances and applicable New Jersey Law. Additionally, a redeveloper may be required to pay for their proportional share of the cost of any studies, plans, reports, or analysis prepared by the Township or its design professionals as part of plan review. Any such payments are required to reimburse the Township of South Brunswick or the Redevelopment Entity.
10. Approval of any plans by either the South Brunswick Planning Board or the Township, acting as the Redevelopment Entity, applies to any and all features shown thereon. Any subsequent additions, deletions or other modifications of the plans must be submitted to the Planning Board for final approval before construction can begin.
11. All of the above provisions are subject to approval by ordinance or resolution according to law. If a court of competent jurisdiction finds any word, phrase, clause, section or provision of the redevelopment plan to be invalid, illegal, or

Redevelopment Plan***Block 95, Lot 48.13******(208 New Road)***

unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable and the remainder of the redevelopment plan and implementing ordinance(s) shall remain in full force and effect.

6.2 — Property Acquisition

The South Brunswick Township Council has designated Block 95, Lot 48.13 as a “Non-Condemnation Redevelopment Area.” Thus, the Township does not identify property for acquisition via eminent domain.

6.3 — Relocation

Should relocation be necessary, the Township of South Brunswick will provide any displaced tenants and landowners with the appropriate relocation assistance pursuant to applicable State and Federal law. Such assistance will be provided through an appropriately designated office.

It is further noted that the Township of South Brunswick and the surrounding area contains sufficient land and buildings that would be appropriate for relocation, should the need arise. However, if relocation is not directly caused by the execution of the redevelopment plan and not required by applicable State and Federal law, the Township of South Brunswick assumes no responsibility.

6.4 — Redevelopment Agreement and Appointment of a Designated Redeveloper

1. As a condition of Planning Board approval, the Township Council acting as the Redevelopment Entity or Agency shall designate a redeveloper or redevelopers.
2. No activity shall be undertaken within the redevelopment area unless the activity is undertaken pursuant to a redevelopment agreement that has been approved by the Redevelopment Entity.

6.5 — Redeveloper Obligations

The redeveloper shall be required to:

1. Submit development plans that include, but are not limited to, drawings of site and building plans and elevations in sufficient detail to show building layout, building construction, access, etc. in accordance with the Township's development regulations. These documents shall be submitted to the South Brunswick Planning Board and the South Brunswick Township Council, acting as the Redevelopment Entity, for review and approval to determine compliance of such plans with the redevelopment plan before working drawings are prepared. It is expressly understood that the approval of any plans by either the South Brunswick Planning Board or the South Brunswick Township Council, acting as the Redevelopment Entity, applies to all features shown thereon. All subsequent additions, deletions or other modifications of the plans must be submitted to the South Brunswick Planning Board for final approval before construction can begin.
2. Agree that no covenant, conveyance agreement or other instrument relating to the property shall be effected or executed based on race, creed, sex, religion, color, age, national origin, sexual or affectional orientation, or ancestry in the lease, use or occupancy thereof.
3. Maintain the structures and facilities in accordance with all codes and ordinances of the Township of South Brunswick.

6.6 — Deviation Requests

The South Brunswick Planning Board may grant deviations from the requirements of this redevelopment plan in cases where the strict application of a particular requirement would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the redeveloper.

The South Brunswick Planning Board may also grant deviations when it finds that the overall goal and objectives of this redevelopment plan would be advanced, and

Redevelopment Plan

Block 95, Lot 48.13

(208 New Road)

that the benefits of a deviation would outweigh any detriments. No deviation may be granted under the terms of this section unless the South Brunswick Planning Board finds that such deviation can be granted without substantial impairment of the redevelopment plan's overall goal and objectives.

Public notice of any application for deviation from the requirements of this redevelopment plan shall be required and conform with the standards for public notice of N.J.S.A. 40:55D-12(a) and 12(b).

The following types of deviations shall only be permitted by means of an amendment to the redevelopment plan by the South Brunswick Township Council, and only upon a finding by same that such deviation would be consistent with and promote the furtherance of the overall goal and objectives of this redevelopment plan: deviation to allow a land use that is not permitted in this redevelopment plan; deviation to increase permitted density, or other aspect of development intensity; and deviation to allow an increase in building height that exceeds the permitted building height that is outlined in this redevelopment plan by ten (10) percent.

7.0 — Relationships to State, County and Local Plans

7.1 — 2001 New Jersey State Development and Redevelopment Plan

The entire redevelopment area is in State Planning Area 2, which is also known as the Suburban Planning Area. As provided in the New Jersey State Development and Redevelopment Plan, State Planning Area 2/Suburban Planning Area is intended to:

- Provide for much of the state's future development;
- Promote growth in centers and other compact forms;
- Protect the character of existing stable communities;
- Protect natural resources;
- Redesign areas of sprawl;
- Reverse the current trend toward further sprawl; and,

Redevelopment Plan

Block 95, Lot 48.13

(208 New Road)

- Revitalize cities and towns.

In addition, the New Jersey State Development and Redevelopment Plan further provides:

The intent of the State Plan regarding the Suburban Planning Area is to reverse the current trend towards further sprawl and to guide both redevelopment and new development into more efficient and serviceable patterns. (SDRP, Page 196).

The overall goal and objectives of this redevelopment plan are consistent with the intended purpose of State Planning Area 2/Suburban Planning Area.

7.2 — Middlesex County Master Plan

Middlesex County is currently preparing a new, comprehensive master plan, entitled “Destination 2040.” As of the preparation of this redevelopment plan, a draft document was unavailable. We note, however, that under the guise of Destination 2040, the Middlesex County Planning Department prepared a separate Open Space and Recreation Plan, which was adopted on February 8, 2022. A key feature of the Open Space and Recreation Plan was the identification of “Open Space Opportunity Areas,” which are public and private parcels that are potential and informal open space acquisition targets for Middlesex County. It is noted that neither the redevelopment area nor the immediate proximity thereof is identified as an Open Space Opportunity Area.

7.3 — South Brunswick Master Plan

The Township of South Brunswick’s master plan was originally adopted in 2001. The most recent comprehensive reexamination of the master plan was prepared by the Planning Board in 2018. Another reexamination report was prepared in 2023, but it was specific to the Monmouth Junction area of the township and does not discuss the redevelopment area.

Redevelopment Plan

Block 95, Lot 48.13

(208 New Road)

While the 2018 Master Plan Reexamination Report does not specifically discuss the redevelopment area, it is noted that its redevelopment would provide the Township with an opportunity to support the following master plan goals and objectives relative to residential development:

- Residential concentrations should be based on adequate consideration of facilities, utilities and transportation. (2018 Master Plan Reexamination Report, p. 2)
- Create buffers between residential and non-residential uses. (ibid., p. 2)
- Buffering and screening requirements must be provided between residential and non-residential uses with particular attention paid to screening noise and lighting. (ibid., p. 2)
- Provide for a variety of housing choices. (ibid., p. 4)
- Encourage the production of lower-cost housing. (ibid., p. 4)
- Encourage the construction of affordable housing in or near built areas and as convenient as possible to public transportation, employment, shopping, and community facilities. (ibid., pp. 4 and 5)
- Bike paths to be designed into all projects. (ibid., pp. 6 and 18)
- Drainage problems created by development must be avoided. (ibid., p. 6)
- Promote sound engineering and architectural design standards for all improvements, including stormwater detention basins and landscaping. (ibid., p. 8)

7.4 — South Brunswick Zone Plan

The provisions of this redevelopment plan shall supersede the existing Zoning and Development Regulations of the Township of South Brunswick in accordance with New Jersey's Local Redevelopment and Housing Law.

7.5 — Master Plans of Adjacent Municipalities

The redevelopment area is located more than approximately 7,500 feet from the

Redevelopment Plan*Block 95, Lot 48.13**(208 New Road)*

Township of Franklin, which is the closest adjacent municipality. Given the significant distance between the redevelopment area and the municipal boundary, it is anticipated that the redevelopment plan will have no impact on the planning efforts of said municipality.

8.0 — Administrative and Procedural Requirements

Administrative and procedural requirements are discussed in the following subsections.

8.1 — Amending the Redevelopment Plan

As circumstances may warrant, the South Brunswick Township Council may amend, revise, or modify this redevelopment plan in accordance with applicable law.

8.2 — Duration of the Redevelopment Plan

The provisions of this redevelopment plan shall remain in effect for a period of fifty years from the date of adoption.

Redevelopment Plan

Block 95, Lot 48.13

(208 New Road)

Appendix A: Tax Map

Redevelopment Plan



Block 95, Lot 48.13

(208 New Road)

Appendix B: Aerial Imagery

Aerial Imagery
Township of South Brunswick, Middlesex County, New Jersey



-  Redevelopment Area (Block/Lot)
-  Tax Parcel

Date of Aerials: 2020



0 80 160
Feet

ricciplanning

Paul Ricci, AICP, PP
177 Monmouth Avenue
Atlantic Highlands, NJ 07716

908.642.0070 (Phone)
908.350.4501 (Fax)
paul@ricciplanning.com



V 0364

RESOLUTION 2024-157

Awarding a Contract with Ricci Planning, LLC for Professional Planning Services for the Deliverable of a Redevelopment Study and Redevelopment Plan for 208 New Road (Block 95, Lot 48.13)

WHEREAS, the Township of South Brunswick has a need to acquire professional planning services for the deliverable of a Redevelopment Study and Redevelopment Plan in connection with property located at 208 New Road, Block 95, Lot 48.13, and wishes to award a contract for such services pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, Ricci Planning has submitted a proposal dated February 6, 2024, indicating that it can provide the necessary services in an amount not to exceed \$10,500.00; and

WHEREAS, Ricci Planning has completed and submitted a Business Entity Disclosure Certification, which certifies that it has not made any reportable contributions to a political or candidate committee in the Township of South Brunswick in the previous one year; and

WHEREAS, the contract will prohibit Ricci Planning from making any reportable contributions through the term of the contract; and

WHEREAS, funds are available for this purpose and a certification of availability of funds has been provided by Samantha Rampacek from Account 03-286-55-167; and

WHEREAS, the Department of Law is satisfied that said certification is in proper form;

NOW, THEREFORE BE IT RESOLVED on this 20th day of March, 2024, by the Township Council of the Township of South Brunswick, County of Middlesex, State of New Jersey, that:

1. A contract be and is hereby authorized with Ricci Planning, LLC, for it to provide the necessary professional planning services for the deliverable of Redevelopment Study and Redevelopment Plan for property located at 208 New Road, Block 95, Lot 48.13, in accordance with its proposal dated February 6, 2024.
2. This expenditure, not to exceed \$10,500.00, shall be charged to Account No. 03-286-55-167.
3. The Business Entity Disclosure Certification and the Determination of Value shall be placed on file with this resolution.
4. Notice of the award of this contract shall be published once in the Home News Tribune.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Josephine "Jo" Hochman, Councilwoman
SECONDER:	Archana "Ann" Grover, Councilwoman
AYES:	Ken Bierman, Archana "Ann" Grover, Josephine "Jo" Hochman
ABSENT:	Joseph Camarota, Charlie Carley

This is to certify that the foregoing is a true copy of a Resolution Adopted at the South Brunswick Township Council meeting held on March 20, 2024.


Barbara Nyitrai, Township Clerk

*Agreement between Owner and Contractor
Professional Services*

AGREEMENT made as of the 12th day of April, 2024.

BETWEEN the Owner (*Name, address and other information*):

THE TOWNSHIP OF SOUTH BRUNSWICK
Municipal Building
540 Ridge Road
Monmouth Junction, New Jersey 07110

Telephone: (732) 329-4000

and the Contractor (*Name, address and other information*):

Paul Ricci, P.P.
Ricci Planning
177 Monmouth Avenue
Atlantic Heights, New Jersey 07716

Telephone: (908) 642-0070

The Owner and Contractor agree as follows.

ARTICLE I THE CONTRACT DOCUMENTS

The Contract Documents consist of this Agreement Between Owner and Contractor, the Resolution of the Owner, any documents included as Addenda, issued prior to execution of this Agreement and properly submitted and/or completed and executed by the parties, including letters or other writings detailing the scope of work and the price associated therewith, and any documents, included as Addenda, issued after the execution of this Agreement and properly submitted and/or completed and executed by the parties, and supported by an appropriate Resolution of the Owner. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations or agreements, either written or oral.

ARTICLE 2 THE SERVICE OF THIS CONTRACT

The general description of the services (hereinafter the “Work”) to be performed by the Contractor for the Owner is to assist the Mayor and Council to be retained on a non-fair and open basis pursuant to the provisions of N.J.S.A. 40A:11-5 as more fully described and identified in the Owner’s Municipal Resolution No. 2024-167 with professional planning services in connection with the preparation of a preliminary investigation report (redevelopment study) and potentially a redevelopment plan for Block 95, Lot 48.13, located at 208 New Road. As part of these services, RicciPlanning will prepare a preliminary investigation report to determine whether or not the above-mentioned property constitutes an area in need of redevelopment pursuant to the Local

Redevelopment and Housing Law (LRHL). Based on the findings of the preliminary investigation report, a redevelopment plan may be prepared to create new zoning for the study property.

ARTICLE 3 PERFORMANCE UNDER THE CONTRACT

The Contractor shall fully complete the Work described in the Contract Documents, except to the extent specifically indicated in the Contract Documents to be the responsibility of others.

ARTICLE 4 DATE OF AGREEMENT AND COMPLETION

4.1 The date of commencement of the Work shall be the date of this Agreement unless a different date is stated below. *APR 12* *APR 12* *HL*

Date of Agreement (if different): March __, 2024 through March __, 2025

4.4 Liquidated Damages: The Owner and the Contractor expressly elect not to provide for liquidated damages except in the case of willful non-payment.

ARTICLE 5 CONTRACT SUM

The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be paid at a rate of \$155.00 per hour, not to exceed \$10,500.00.

ARTICLE 6 PAYMENTS

6.1 Retainer. Prior to the commencement of work, the Owner agrees to pay the Contractor the sum of \$ NONE for the retention of the Contractor's services. The amount will be a credit toward the Contract Sum and shall be applied against the final billings of the Contractor. Nevertheless, the Contractor shall have the option to commence work prior to the receipt of the retainer.

6.2 Based upon Application for Payment (invoice/bill) submitted to the Owner's Representative no later than the first day of the month (the application date), and the Owner's Representative's verification that performance by the Contractor is substantially as set forth in the Application for Payment (invoice/bill), which verification shall be made to the Director of Public Works, the Owner shall make payment to the Contractor not later than the 15th day of the following month. If an Application for Payment is received by the Owner's Representative after the application date fixed above, payment shall be made by the Owner not later than sixty (60) days after the Owner's Representative receives the Application for Payment.

ARTICLE 7 MISCELLANEOUS PROVISIONS

7.1 Where reference is made in this Contract to the Instructions and Conditions, or another Contract Documents, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

7.2 Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Owner is located.

Rate: Two and one half (2.5%) percent.

7.3 The Owner's representative is:

Name: Charlie Carley
Title: Mayor
Address: 540 Ridge Road
Monmouth Junction, New Jersey 08852
Telephone: (732) 329-4000

7.4 The Contractor's representative is:

Name: Paul Ricci, P.P.
Firm: Ricci Planning
177 Monmouth Avenue
Atlantic Highlands, NJ 07716
Telephone: 908-642-0070
Telefax:

7.5 Neither the Owner's nor the Contractor's representative shall be changed without ten (10) days written notice to the other party.

ARTICLE 8 ENUMERATION OF CONTRACT DOCUMENTS

8.1 The Contract Documents, except for Modifications issued after execution of this Agreement, are enumerated as follows:

8.1.1 The Agreement is this executed 2024 Edition (Professional Services) Agreement between Owner and Contractor, prepared by the Township of South Brunswick.

8.1.2 The Resolution No. 2024-67 of the Owner, to be attached hereto as Schedule "A".

8.1.3 Items included as Addenda issued prior to execution of this Agreement and properly submitted and/or completed and executed by the parties, including letters or other writings

detailing the scope of work and the price associated therewith, to be attached hereto as Schedule “B”.

- 8.1.4** Items included as Addenda issued after the execution of this Agreement and properly submitted and/or completed and executed by the parties, and supported by an appropriate Resolution of the Owner, to be attached hereto as Schedule “C”.
- 8.1.5** To the extent that the provisions of this Agreement conflict with the terms of the any addenda, except for any addenda set forth under Schedule “C”, the terms of this Agreement shall prevail.
- 8.2** Political Contribution Disclosure. This contract has been awarded to Ricci Planning based on the merits and abilities of Ricci Planning to provide the goods or services as described herein. This contract was not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Ricci Planning, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Township of South Brunswick, County of Middlesex if a member of that political party is serving in an elective public office of that Township of South Brunswick, County of Middlesex when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that Township of South Brunswick, County of Middlesex when the contract is awarded.

**ARTICLE 9 MANDATORY EQUAL EMPLOYMENT OPPORTUNITY
LANGUAGE
N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report


Employee Information Report Form AA302 (electronically provided by the Division and

distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract_compliance).


The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

This Agreement is entered into as of the day and year first written above and is executed in at least four original copies, of which one is to be delivered to the Contractor, one to the Municipal Clerk of the Owner, one to the interested Department of the Owner, and one to the Office of the Township Attorney for the Owner.

OWNER:
Township of South Brunswick

By: 
Ker Bierman,
Deputy Mayor

CONTRACTOR:
Ricci Planning

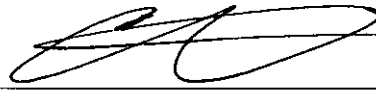
By: 
Paul Ricci, P.P.

Contractor Corporate Acknowledgment
(to be executed where the Contractor is a corporation or LLC)

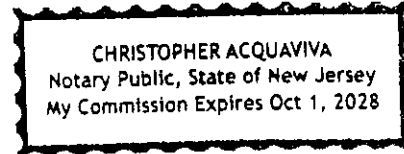
STATE OF NEW JERSEY)
 : ss.
COUNTY OF Monmouth)

I certify that on (insert date) 4/12/2024, Paul Ricci, principal of Ricci Planning, personally came before me, a Notary Public of the State of New Jersey, and this person acknowledged under oath, to my satisfaction, that he:

- (a) is the Principal of Ricci Planning and authorized signatory of the Contractor, a corporation/LLC duly organized and validly existing under the laws of the State of New Jersey, and the Contractor named in the within document;
- (b) has the full authority to sign this document and bind the Contractor to the provisions herein;
- (c) signed, sealed and delivered this document as the voluntary act and deed of the corporation/LLC, duly authorized by a proper resolution by its Board of Directors.



Notary Public of the State of New Jersey

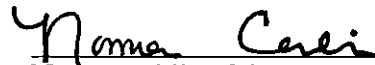


Owner Municipal Corporate Acknowledgment
(to be executed where the Owner is a municipal corporation)

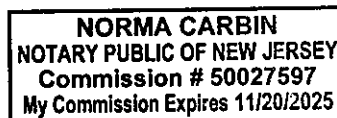
STATE OF NEW JERSEY)
 : ss.
COUNTY OF MIDDLESEX)

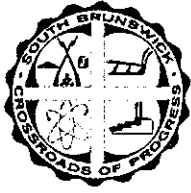
I certify that on April 1, 2024, (insert date) Ken Bierman ^{Deputy} ~~Charlie Carley~~, Mayor of the Owner, personally came before me, a Notary Public of New Jersey, and this person acknowledged under oath, to my satisfaction, that this person:

- (a) is the ^{Deputy} Mayor and authorized signatory of the Township of South Brunswick, a municipal corporation duly organized and validly existing under the laws of the State of New Jersey, and the municipal corporation named in the within document;
- (b) has the full authority to sign this document and bind the municipality to the provisions herein; and
- (c) signed, sealed and delivered this document as the voluntary act and deed of the municipality, duly authorized by a proper resolution by the Board of Commissioners.



Notary Public of the State of New Jersey





South Brunswick Township

540 Ridge Road
Monmouth Junction, NJ 08852
Telephone: (732) 329-4000

April 1, 2024

|||
Paul Ricci, P.P.
Ricci Planning
177 Monmouth Avenue
Atlantic Heights, NJ 07716

Dear Mr. Ricci:

Please be advised that the Mayor and Council of the Township of South Brunswick, at a meeting held on March 20, 2024, authorized the following agreement:

Resolution RES-2024-157

Adopted [Unanimous]

Awarding a Contract with Ricci Planning, LLC for Professional Planning Services for the Deliverable of a Redevelopment Study and Redevelopment Plan for 208 New Road (Block 95, Lot 48.13)

Enclosed please find two (2) copies of the above referenced agreement. Kindly execute the agreements and return a fully executed copy to this office for our files.

Should you have any questions feel free to contact me at ext. 7313.

Sincerely yours,

Barbara Nyitrai
Barbara Nyitrai, RMC
Township Clerk

**TOWNSHIP OF SOUTH BRUNSWICK
MIDDLESEX COUNTY, NEW JERSEY**

SPECIFICATIONS AND REQUIREMENTS

FOR

NON-FAIR AND OPEN CONTRACTS

**SOUTH BRUNSWICK TOWNSHIP MUNICIPAL BUILDING
MONMOUTH JUNCTION, NEW JERSEY 08852**

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS

Required Pursuant To N.J.S.A. 19:44A-20.8

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that Paul Ricci, has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding the Effective Date of this contract, to any of the following named candidate committee, joint candidates committee, or political party committee representing the elected officials of the ***Township of South Brunswick*** as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Mayor Charlie Carley	Councilwoman Ann Grover
Councilman Joe Camarota	Councilwoman Jo Hochman
Deputy Mayor Kenneth Bierman	

Part II – Ownership Disclosure Certification

☐ I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

☐ Partnership ☐ Corporation ☐ Sole Proprietorship ☐ Subchapter S Corporation
☐ Limited Partnership ☒ Limited Liability Corporation ☐ Limited Liability Partnership

Name of Stock or Shareholder	Home Address
Paul Ricci, President	177 Monmouth Avenue, Atlantic Highlands, NJ 07716

Part 3 – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: RicciPlanning, LLC

Signature of Affiant: [Signature] Title: President Printed

Name of Affiant : Paul Date: 2/16/24

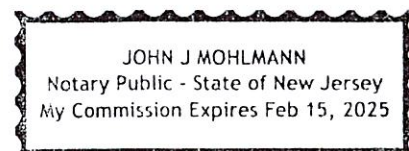
Subscribed and sworn before me this 27 day of FEBRUARY, 2024.

My Commission expires: 2/15/2025

John Mohlmann

(Witnessed or attested by)

(Seal)



BUSINESS ENTITY DISCLOSURE CERTIFICATION FOR NON-FAIR AND OPEN CONTRACTS

The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

“Local Unit Pay-To-Play Law” (P.L. 2004, c.19, as amended by P.L. 2005, c.51)

19:44A-20.6 Certain contributions deemed as contributions by business entity.

5. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

19:44A-20.7 Definitions relative to certain campaign contributions.

6. As used in sections 2 through 12 of this act:

“business entity” means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

“interest” means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate;

Temporary and Executing

12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)

19:44A-3 Definitions. In pertinent part...

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freeholders and county executive shall be deemed to be the same elective public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

19:44A-8 and 16 Contributions, expenditures, reports, requirements.

While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions:

“The \$300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2)

POLITICAL CONTRIBUTION DISCLOSURE CERTIFICATION

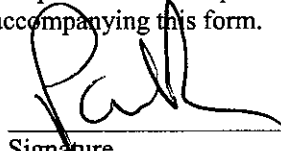
Required Pursuant To N.J.S.A. 19:44A-20.26

**This form or its permitted facsimile must be submitted to the local unit
no later than 10 days prior to the award of the contract.**

Part I – Vendor Information

Vendor Name:	RicciPlanning, LLC		
Address:	177 Monmouth Avenue		
City:	Atlantic Highlands	State: NJ	Zip: 07716

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.



Paul Ricci, President

Signature

Printed Name

Title

Part II – Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

☐ Check here if disclosure is provided in electronic form.

Contributor Name	Recipient Name	Date	Dollar Amount
None			\$0

☐ Check here if the information is continued on subsequent page(s)

Required Pursuant To N.J.S.A. 19:44A-20.26

Vendor Name:

[illegible]☐ Check here if the information is continued on subsequent page(s)

List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 19:44A-20.26

County Name: Middlesex
State: Governor, and Legislative Leadership Committees
Legislative District #: 16

State Senator and two members of the General Assembly per district.

County:

Freeholders

County Clerk

Sheriff

Surrogate

Municipalities (Mayor and members of governing body, regardless of title); Boards of Education (Members of the Board); and/or Fire Districts (Board of Fire Commissioners):

Branchburg
Delaware
Flemington
Hillsborough
Manville

Millstone (Somerset)
Montgomery
Princeton Borough
Princeton Township
Raritan (Hunterdon)

Readington
Rocky Hill
Somerville
South Brunswick
Stockton

POLITICAL CONTRIBUTION DISCLOSURE CERTIFICATION

Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a “fair and open” process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - of the public entity awarding the contract
 - of that county in which that public entity is located
 - of another public entity within that county
 - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 52:34-25(b) itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an “interest:” ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, “a contribution by that person’s spouse or child, residing therewith, shall be deemed to be a contribution by the business entity.” [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor's responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law.

¹ N.J.S.A. 19:44A-3(s): "The term "legislative leadership committee" means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures."

CONTRIBUTION PROHIBITION

Political Contribution Disclosure. This contract has been awarded to _____ based on the merits and abilities of _____ to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that _____, its subsidiaries, assigns or principals controlling in excess of 10% of the company, has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Township of South Brunswick/County of Middlesex if a member of that political party is serving in an elective public office of the Township of South Brunswick/County of Middlesex when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of South Brunswick/County of Middlesex when the contract is awarded.

New Jersey Business Registration Certificate Requirements

Required pursuant to N.J.S.A. 52:32-44 et al.

The contractor shall provide a Business Registration Certificate for itself and written notice to its subcontractors of the responsibility to submit proof of their own business registration to the contractor.

Before award of the contract by the contracting agency, the contractor shall submit a Business Registration Certificate for itself and an accurate list and proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall attest that no subcontractors will be used.

For the term of the contract, the contractor and each of its affiliates and subcontractors and each of its affiliates [N.J.S.A.52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State regardless of whether the tangible personal property is intended for a contract with a contracting agency.

A business organization that fails to provide a copy of a business registration as required pursuant to section 1 of P.L.2001, c.134(C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L. 1977, c.110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.

AFFIRMATIVE ACTION QUESTIONNAIRE

No firm may be issued a contract unless they comply with the Affirmative Action Regulations of P.L. 1975, C. 127 (N.J.A.C.17:27).

All firms: An employee information report must be completed and returned prior to or at the time of an award. An Affirmative Action Plan approved by the Federal Government or the State of New Jersey Treasurer is an acceptable alternate.

FILL IN THE APPLICABLE BOX BELOW. IF YOU HAVE NOT YET COMPLIED WITH THE AFFIRMATIVE ACTION REGULATIONS, YOU MUST COMPLETE AND FILE THE AFFIRMATIVE ACTION DOCUMENT PRIOR TO AWARD. YOU MUST RETURN THE COMPLETED DOCUMENT TO THE TOWNSHIP PRIOR TO AWARD.

ALL FIRMS:

☐

A FEDERAL LETTER OF APPROVAL HAS BEEN RECEIVED. (PROOF MUST BE SUBMITTED)

OR

☒

A CURRENT STATE OF NEW JERSEY "CERTIFICATE OF EMPLOYEE INFORMATION REPORT OF APPROVAL" HAS BEEN RECEIVED. (COPY OF SAME MUST BE SUBMITTED)

OR

☐

AN AFFIRMATIVE ACTION EMPLOYEE INFORMATION REPORT (FORM AA-302 MUST BE SUBMITTED, AS INDICATED ON SAID FORM. (SOUTH BRUNSWICK TOWNSHIP WILL FORWARD YOU THIS FORM, IF YOU ARE A CONTRACTOR.)

I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT TO THE BEST OF MY KNOWLEDGE.

Firm Name RicciPlanning, LLC

Signature 

Title President

Date 2/16/24

CERTIFICATION OF NON-CONFLICT OF INTEREST

In consideration for the contract to be entered between the Township and

RicciPlanning, LLC, I hereby certify that Paul Ricci
(Individual or Firm) (Individual or Firm)
does not represent another client whose interests are in actual conflict with the Township.

I further certify that, to the best of my knowledge, the representation of other clients of

RicciPlanning, LLC will not materially limit my representation of the Township.
(Individual or Firm)

During the term of this contract with the Township RicciPlanning, LLC shall not
(Individual or Firm)
represent any client whose representation materially limits the representation of the

Township or whose interests are in actual conflict with the Township's interests.

The existence of a conflict of interest contrary to the certification above shall be a breach
of the contract. It shall also entitle the Township to expose RicciPlanning, LLC to any
(Individual or Firm)
penal statutes pertaining to false material certifications.

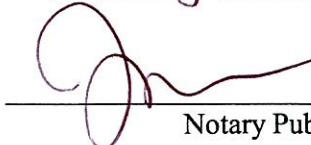
CONTRACTOR RicciPlanning, LLC
Individual Signature or Firm Name

IF FIRM:

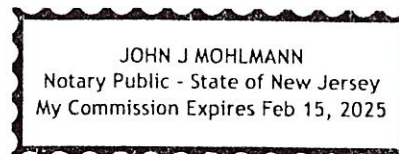
BY Paul Ricci

TITLE President

Sworn to and subscribed before me this
27th day of February 2021.



Notary Public



NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY)

) SS:

COUNTY OF)

I, Paul Ricci of RicciPlanning, LLC in the
County of Monmouth and the State of New Jersey of full
age, being duly sworn according to law on my oath depose and say that:

I am Paul Ricci of the Firm of RicciPlanning, LLC
(hereafter the Firm) the contractor for the
redevelopment project, and that I executed the proposal for the
contract on behalf of the Firm with full authority so to do; that the Firm has not, directly
or indirectly, entered into any agreement, participated in any collusion, or otherwise taken
any action in restraint of free and voluntary contract negotiations in connection with the
above named project; and that all statements contained in said proposal and in this
affidavit are true and correct, and made with full knowledge that the Township of South
Brunswick relies upon the truth of statements contained in said proposal and in the
statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to
solicit or secure such contract upon an agreement or understanding for a commission,
percentage, brokerage or contingent fee, except bona fide employees or bonafide
established commercial or selling agencies maintained by

RicciPlanning, LLC

(Name of Contractor)

Subscribed and sworn to
before me this 27 day
of FEB, 20 24.

Paul Ricci

(also type or print name of affiant
under signature)

Notary Public of Monmouth County, NJ
My Commission Expires 2-15, 20 25.

JOHN J MOHLMANN
Notary Public - State of New Jersey
My Commission Expires Feb 15, 2025

ADDITIONAL MANDATORY CONTRACT REQUIREMENTS

N.J.S.A. 10:5-31 et seq., (P.L. 1975, C.127) N.J.A.C. 17:27 MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE FOR GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation gender identity or expression, disability, nationality or sex. Except with respects to affectional or sexual orientation and gender identity or expression the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause;

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex;

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq. as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to afford equal employment opportunities to minority and women workers consistent with Good faith efforts to meet targeted county employment goals established in accordance with

N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted county employment goals determined by the Division pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certification of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant **to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

MANDATORY INSURANCE REQUIREMENTS

A. General Instructions. (1) The contractor shall not commence work under the Contract until he has obtained all insurance required under this section and such insurance has been approved by the Township, nor shall he allow any subcontractor to commence work on his subcontract until all similar insurance required of the subcontractor is obtained and approved by the Township. Any special insurance required by the Contract itself shall also be obtained by the contractor and his subcontractors and approved by the Township before any work is commenced.

(2) Certificates evidencing each insurance coverage shall be submitted by the contractor and his subcontractors to the Township within twenty-one (21) days after execution of the Contract. All such certificates shall be issued by an insurer acceptable to the Township of South Brunswick, authorized to transact business in the State of New Jersey, and have an A.M. Best & Co. rating of not less than A:VII, naming thereon the Township of South Brunswick as an additional insured. The certificates shall specifically state that the insurance company or companies issuing such insurance policies shall give the Township at least thirty (30) days written notice in the event of cancellation of, or material change in, any of the policies. If coverage on any certificates is shown to expire prior to completion of all terms of the Contract, a new certificate shall be furnished to the Township evidencing renewal of the coverage. All certificates of insurance shall clearly show the contract number.

(3) A performance bond shall be submitted for any self-insured coverage guaranteeing payment of losses and related investigations, claims administration and defense expenses.

B. Workers' Statutory Compensation Insurance and Employer's Liability Insurance. The contractor and his subcontractors shall take out and maintain for the life of the Contract the applicable statutory Workers' Compensation Insurance covering all employees. The contractor and his subcontractors shall also take out and maintain for the life of the Contract Employer's Liability Insurance with a minimum limit of \$500,000 for each accident and shall further include a waiver of subrogation and other employee liability insurance that may be required by the United States of America and the State of New Jersey.

C. Public Liability Insurance. The contractor shall take out and maintain for the life of the Contract such Public Liability Insurance as shall protect him against claims for damages resulting from bodily injury, including wrongful death, and property damage which may arise from operations under the Contract whether such operations be by himself or by any subcontractor or anyone directly or indirectly employed by either of them. The minimum acceptable limits of liability to be provided by such Public Liability Insurance are: