



Susan J. Radom
& Mark A. Wetter

June 7, 2022
Via Electronic Mail (scole@tc-mgt.com)

Vanessa S.L. Nixon
admitted in New Jersey

Society Hill at Piscataway - Board of Trustees
c/o Towne & Country Management
711 Sycamore Avenue,
Red Bank, New Jersey 07711

OF COUNSEL
Dona Feeney
admitted in New Jersey,
Massachusetts,
New Hampshire,
Vermont and Maine

RE: Society Hill at Piscataway - Township of Piscataway Violations
Property: Lancaster Court Pond

Lawrence J. Nagy
admitted in New Jersey
and Florida

Dear Board Members:

Reply to:

As you may recall, the Township of Piscataway issued notices of violations on June 16, 2021. The two (2) violations specifically cite conditions associated with the Lancaster Court Pond property as violating the Property Maintenance Code section: 26-28.1 and section: 24-201, departing from the approved "Soil Erosion and Sediment Control Plan" and the approved "Site Plan Approval", respectively, as a result of changes to the grading and drainage.

245 Route 22 West
Suite 201
Bridgewater, NJ 08807
908.707.1500
FAX 908.707.4181
radomandwetter.com

Since the original court hearing date, which was July 8, 2021, I have communicated with the complaining Code Enforcement Official, Ben Pobicki, advocating to have the summons dismissed to allow the Association time to correct the conditions and, failing that, to obtain adjournments of the court date in the hope that the Association's good faith and meaningful effort to fix the conditions of violations might eventually persuade the Code Enforcement Official to dismiss the violations or to at least keep the fines to a minimum. The Code Enforcement Official would not agree to dismiss the summons and, finally, would not agree to any more adjournments.

163 Madison Avenue
2nd Floor, #220-66
Morristown, NJ 07960
973.867.7053
Fax 973.998.8720
radomandwetter.com

As the date of the latest hearing on June 2nd approached I, nevertheless, requested *another* adjournment from Mr. Pobicki, which was met with complete silence. I then wrote directly to the Court and requested an adjournment of the hearing date to allow for sufficient time for the Association to remediate the violations. The Court did not grant that request.

23 Main Street
P.O. Box 143
Blairstown, NJ 07825
908.707.1500
FAX 908.707.4181
radomandwetter.com

As such, I appeared on behalf of the Association. There was essentially no defense to present since the 9,868.5 tons of material, that have been on the site for the last five to ten (5-10) years, clearly are a site plan violation and a violation of the permit issued in 2015 for soil control. I was able to negotiate the fine down to One Thousand Dollars (\$1,000) for each violation (\$2,066.00 in total including court costs) and obtain a concession that the Township would no longer fine daily as a continuing violation and



would further allow the Association six (6) months to effectuate clean-up, disposal and restoration of the site, consistent with the site plan, without further fine or penalty. I fully expect that if the site is not remediated within that time period (or substantial progress made), violations and fines will resume. There is no possibility that the Code Enforcement Office will allow the violations to continue but there is every reason to believe that, as stated in Court, further summons and fines will be issued if the soil is not removed and the property contours restored in a timely manner, that is, in or about six (6) months.

Furthermore, the Code Enforcement Office has no authority to offer Township personnel to assist in this project and I have no one with whom I can negotiate any assistance. As per our recent telephone conference, my suggestion was for board members to contact their elected representatives in town to see if there was any possibility, in light of the financial hardships to the community, to obtain help in any way possible from the Township resources. It is imperative that all steps be taken in the meantime, and progress to correct these violations, continue unabated. Assuming there will be no help offered, progress *must* go forward nonetheless so that at least the added financial burden of onerous fines is avoided.

Should you have any questions, please do not hesitate to contact our office.

Very Truly Yours,

A handwritten signature in black ink that reads "Susan J. Radom". The signature is written in a cursive style with a large, prominent 'S' and 'R'.

SUSAN J. RADOM, ESQ.

SJR:cg

Encl.



Community Development and Code Enforcement

Property Owner /Agent: SOCIETY HILL AT PISCATAWAY
C/O Tong Chou
550 Chesterfield Dr.
Piscataway, NJ 08854

Description of Property: Lancaster Ct. Pond

Block: 10002 Lot(s): 2

DATE ISSUED: 6/16/21

Pursuant to Section PM-107.2 of the Piscataway Township Property Maintenance Code you are hereby notified that you are in violation of the following section(s) of the Code:

Section: 26-28.1 Soil Erosion and Sediment Control Plan

Description: You are in violation of the Soil Erosion and Sediment Control plan submitted to the Township on January 15th 2014. You have not adhered to the plan submitted and removed the spoils from the pond dredging project.

A summons has been issued for this violation.

Section: 24-201 Site Plan Approval

A site plan approval shall be obtained from the Board of Adjustment or Planning Board prior to construction, erection or alteration of any structure, or part of a structure, or change in the use of a structure or land.

Description: Your property does not comply with approved site plan on file with the Township of Piscataway. The grading and drainage has been changed as a result of the dredging project.

A summons has been issued for this offence.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ben Pobicki", written over a horizontal line.

BEN POBICKI
PROPERTY MAINTENANCE
AND ENFORCEMENT OFFICER
505 Sidney Rd, Piscataway Township, NJ 08854
Phone # (732) 562-7638 Fax # (732) 529-2525
Email: bpobicki@piscatawaynj.org



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Very truly yours,

BEN POBICKI
PROPERTY MAINTENANCE
AND ENFORCEMENT OFFICER
505 Sidney Rd, Piscataway Township, NJ 08854
Phone # (732) 562-7638 Fax # (732) 529-2525
Email: bpobicki@piscatawaynj.org

Stacey Cole

From: Susan Radom <sjr@radomandwetter.com>
Sent: Friday, June 17, 2022 11:26 AM
To: awlodkowska@WJHEngineering.com
Cc: Stacey Cole
Subject: Society Hill At Piscataway Condominium

Hello,

I represent the above referenced condominium association. Would you please provide to me a full scale copy of the Soil Erosion & Sediment Control Plan created by your office for the association's use. It is identified as Job Name: Society_Hill; Job #: 08-118; dated: 11-1-13. Please contact me to advise of any costs associated with obtaining a copy of the plan. Thank you.

Susan

Susan J. Radom, Esq.

sjr@radomandwetter.com



Advocacy and Results

245 Route 22 West
Bridgewater, New Jersey 08807
And
23 Main Street
P.O. Box 143
Blairstown, New Jersey 07825
www.radomandwetter.com
908.707.1500 office
908.707.4181 fax
website: www.radomandwetter.com
Facebook: <https://www.facebook.com/RadomandWetter/>
Twitter: <https://twitter.com/radomandwetter>

This e-mail and any attachments are for the sole use of the intended recipient(s) and may contain confidential information subject to the attorney-client privilege. Any unauthorized review, use, disclosure or distribution is strictly prohibited. If you are not the intended recipient(s), kindly contact the sender by reply e-mail and destroy this e-mail, including its attachments.

This is a communication from a debt collector attempting to collect a debt, and any information obtained will be used for that purpose.



ATech Landscape Design, Inc.
 22 HIDDEN COURT, SOUTH PLAINFIELD,
 NEW JERSEY,07080

Phone: (609) 575-3570
 email: atechlandac@gmail.com
 www.atechland.thebluebook.com

CONSTRUCTION PROJECT QUOTE

3027842000008539138

Quote Stage Negotiation
Valid Till May 18, 2022
Quote Name
Project Manager Anthony Canonic
Project Amount \$ 758,555.40

SUBMIT TO:

Contact Name: STACEY COLE
Account Name: TOWNE AND COUNTRY
MANAGEMENT
 711 SYCAMORE AVE
 RED BANK, NJ

PROJECT INFO:

Contact Name: STACEY COLE
Project Name: SOCIETY HILL - CONTAMINATED SOILS
 REMOAVL AND SITE REMEDIATION
Plan Sheet:
Plan Date:

Item & Description	Unit Price	Qty	Discount	Amount
SITE WORK - EROSION CONTROLS Construction site tracking pad installation. Site soil erosion control measures to prevent excavated soils runoff from entering pond/waterway. Silt fence installation surrounding remediation site as well as along pond/waterway edge. Construction fence installation Installation of Coir Logs along pond edge to prevent erosion and sediment runoff into pond/waterway.	22,250.00	1	\$ 0.00	22,250.00

Item & Description	Unit Price	Qty	Discount	Amount
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EXCAVATION AND HAULING

[REDACTED]

9868.5

\$ 0.00

[REDACTED]

Excavation and Hauling of contaminated soils is based on expected cubic yards of material. The site size is: 130' long x 90' wide x 20' high We are basing our quote on 8600 cubic yards, which converts to 9868.5 US tons of material will be excavated and hauled from site.

This Item does not include disposal, Disposal is charged separately. see item below.

Item & Description	Unit Price	Qty	Discount	Amount
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CONTAMINATED SOILS DISPOSAL/TREATMENT	[REDACTED]	9868.5	\$ 0.00	[REDACTED]
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All excavated soils will be hauled to The Middlesex County Landfill - MCUA Solid Waste Landfill for disposal and recycling. MCUA will generate daily trucking manifest log, per day tonnage of materials and you will be billed the rate per ton of \$22.00, plus 20%.

Other Services/Conditions of Acceptance:

Inbound testing of excavated soils, is solely at the discretion of MCUA, Society Hill Piscataway will be invoiced for any and all required inbound material testing.

Testing Requirements:

See attached pre-acceptance testing requirements for Petroleum Hydrocarbons or MGP Coal tar soils. All sampling and analytical requirements for untreated soil will be at sole expense of Society Hill Piscataway and the discretion of MCUA on inbound material loads.

Handling of Non-Conforming Waste Materials:

Materials exhibiting strong odors will be surcharged \$20.00 per ton. Surcharge tonnage will be billed separately. Loads that meet these requirements will be noted.

Debris:

Stone, brick, block and concrete should be 2' minus. Excessive non-crushable debris/garbage will be surcharged \$200.00 per load. Loads that meet

These requirements will be met.

Item & Description	Unit Price	Qty	Discount	Amount
DISPOSAL OF NON CRUSHABLE DEBRIS Excessive non crushable debris/garbage will be picked and stock piled for separate disposal off site. This material does not go to BayShore Recycling.	\$ 5,000.00	1	\$ 0.00	\$ 5,000.00
ROCK EXCAVATION / SHALE Excessive rock excavation and shale will be sorted pre loading and stock piled for disposal offsite. This material does not go to BayShore Recycling.	\$ 5,000.00	1	\$ 0.00	\$ 5,000.00
SOIL TESTING - SAMPLES Before the area is restored a final soil test of the area is needed. ANS Consultants from South Plainfield will perform a soil test and report the findings before land restoration. NTE \$5,000 in testing before final restoration.	\$ 5,000.00	1	\$ 0.00	\$ 5,000.00
SITE WORK - LAND RESTORATION The area will need to capped utilizing orange warning geotextile fabric as a warning zone for future excavation. Import of topsoil, grading of land, hydroseeding, erosion netting. All erosion controls must be left in place until area is 100% germinated. Once germinated all erosion controls will be removed.	\$ 22,500.00	1	\$ 0.00	\$ 22,500.00

Item & Description	Unit Price	Qty	Discount	Amount
ALLOWANCE FOR WORK NOT SPECIFIED This allowance will not be billed unless a change order has been issued for unforeseen project items. Excessive Rock/shale Excavation. Unforeseen foreign debris within stock pile. Town / County Soils Department requirements not known at time of quote. Existing Grade Survey Final Grade Survey As Built Drawing Land Survey of post construction conditions. This allowance may be increased to supply any of these unforeseen items.	\$ 25,000.00	1	\$ 0.00	\$ 25,000.00
DIESEL FUEL PROJECT SURCHARGE Diesel Fuel Project Based Surcharge, based on an estimated fuel usage of 2000 gallons per the project. \$1.90 per gallon usage surcharge.	\$ 3,600.00	1	\$ 0.00	\$ 3,600.00
PERMITS AND FEES Any and all permits, fees, inspections needed by outside engineering... fees are all billable to Society Hill Piscataway.	\$ 0.00	0	\$ 0.00	\$ 0.00
Sub Total				\$ 758,555.40
Service Tax				\$ 0.00
Total				\$ 758,555.40
Grand Total				\$ 758,555.40

Authorized Signature

Date _____

PROJECT NOTES:

DOWN TO EARTH LANDSCAPING, INC.

QUALITY is our trademark.

June 24, 2022

PROPOSAL	
Society Hill - Contaminated Soils Site Remediation	
DESCRIPTION OF WORK	
<p>SITE WORK - EROSION CONTROLS Construction site tracking pad installation. Site soil erosion control measures to prevent excavated soils runoff from entering pond/waterway. Silt fence installation surrounding remediation site as well as along pond/waterway edge. Construction fence installation. Installation of Coir Logs along pond edge to prevent erosion and sediment runoff into pond/waterway.</p> <p>EXCAVATION AND HAULING Excavation and hauling of contaminated soil is based on expected cubic yards of material. The site size is: 130' long x 90' wide x 20' high, basing our quote on 8600 cubic yards, which converts to 9868.5 US tons of material will be excavated and hauled from site. This item does not include disposal. Disposal is charged separately. see item below.</p> <p>CONTAMINATED SOILS DISPOSAL/TREATMENT All excavated soils will be hauled to the generate daily trucking manifest log, per day tonnage of materials and you will be billed the rate per ton. Other Services/Conditions of Acceptance: Inbound testing of excavated soils is solely at the discretion of Society Hill Piscataway will be invoiced for all required in bound material testing. Testing Requirements: See attached pre- acceptance testing requirements for Petroleum Hydrocarbons or MGP Coal tar soils. All sampling and analytical requirements for untreated soil will be at sole expense of Society Hill Piscataway and the discretion of on inbound material loads. Handling of Non- Conforming Waste Materials: Materials exhibiting strong odors will be surcharged \$20.00 per ton. Surcharge tonnage will be billed separately. Loads that meet these requirements will be noted. Debris: Stone, brick, block and concrete should be 2' minus. Excessive non- crushable debris/garbage will be surcharged \$200.00 per load. Loads that meet base requirements will be completed.</p> <p>DISPOSAL OF NON CRUSHABLE DEBRIS Excessive non crushable debris/garbage will be picked and stock piled for separate disposal off site. This material does not go to BayShore Recycling.</p> <p>ROCK EXCAVATION / SHALE Excessive rock excavation and shale will be sorted pre loading and stock piled for disposal offsite. This material does not go to BayShore Recycling.</p> <p>SOIL TESTING - SAMPLES Before the area is restored a final soil test of the area is needed. ANS Consultants from South Plainfield will perform a soil test and report the findings before land restoration. NTE \$5,000 in testing before final restoration.</p> <p>SITE WORK - LAND RESTORATION The area will need to capped utilizing orange warning geotextile fabric as a warning zone for future excavation. Import of topsoil, grading of land, hydroseeding, erosion netting. All erosion controls must be left in place until area is 100% germinated. Once germinated all erosion controls will be removed.</p> <p>ALLOWANCE FOR WORK NOT SPECIFIED This allowance will not be billed unless a change order has been issued for unforeseen project items. Excessive Rock/shale Excavation. Unforeseen foreign debris within stock pile. Town / County Soils Department requirements not known at time of quote. Existing Grade Survey Final Grade Survey As Built Drawing Land Survey of post construction conditions. This allowance may be increased to supply any of these unforeseen items.</p> <p>DIESEL FUEL PROJECT SURCHARGE Diesel Fuel Project. Based Surcharge, based on an estimated fuel usage of 2000 gallons per the project. \$1.90 per gallon usage surcharge.</p> <p>PERMITS AND FEES Any and all permits, fees, inspections needed by outside engineering... fees are all billable to Society Hill Piscataway.</p>	
Sub Total:	\$841,078.55
Sales Tax:	\$55,721.45
Total:	\$896,800.00

Pricing is good for 90 days from the date of the proposal.

Proposed By:

APPROVED

CLIENT SIGNATURE

Serving All of New Jersey at 1-800-280-1837
705 WRIGHT-DEBOW ROAD * JACKSON, NJ 08527
Phone 732-833-7702 * Fax 732-833-7709

Visit us at www.downtoearthlandscaping.com

Eosso Brothers Paving

[REDACTED]
[REDACTED]
[REDACTED]



Prepared For:
Towne & Country Management, Inc
711 Sycamore Avenue
Red Bank, NJ 07701-4921
(732) 212-8200
(732) 212-8200

Attention:
Stacey Cole

Project Address: Society Hill

Dear Stacey Cole, thank you for the opportunity to provide you with this proposal for work. We look forward to serving you.

1. SITE WORK - EROSION CONTROL

[REDACTED]

Included:

Construction site tracking pad installation.

Site soil erosion control measures to prevent excavated soils runoff from entering pond/waterway.

Silt fence installation surrounding remediation site as well as along pond/waterway edge.

Construction fence installation

Prepare along pond edge to prevent erosion and sediment runoff into pond/waterway.

2. EXCAVATION AND HAULING

[REDACTED]

Included:

Excavation and Hauling of contaminated soils is based on expected cubic yards of material.

The site size is: 130' long x 90' wide x 20' high We are basing our quote on

8,600 cubic yards, which converts to 9,868.5 US tons of material will be excavated and hauled from site.

3. CONTAMINATED SOILS DISPOSAL/TREATMENT

[REDACTED]

Included:

All excavated soils will be hauled to The generate daily trucking manifest log, per day tonnage of materials and you will be billed the rate per ton of \$

Other Services/Conditions of Acceptance:

Inbound testing of excavated soils, is solely at the discretion of Society Hill Piscataway will be invoiced for any and all required inbound material testing.

4. DISPOSAL OF NON CRUSHABLE DEBRIS

[REDACTED]

Excessive non crushable debris/garbage will be picked and stock piled for separate disposal off site.

This material does not go to Recycling Facility.

5. ROCK EXCAVATION / SHALE

[REDACTED]

Included:

Excessive rock excavation and shale will be sorted pre loading and stock piled for disposal offsite.

This material does not go to Recycling Facility.



6. SOIL TESTING - SAMPLES

\$10,500.00

Included:

Before the area is restored a final soil test of the area is needed. Consultants will perform a soil test and report the findings before land restoration.

7. SITE WORK - LAND RESTORATION

\$34,250.00

Included:

The area will need to capped utilizing geotextile fabric as a warning zone for future excavation. Import of topsoil, grading of land, hydroseeding, erosion netting. All erosion controls must be left in place until area is 100% germinated. Once germinated all erosion controls will be removed.

8. CONTINGENCY FOR WORK NOT SPECIFIED-

\$26,000.00

This allowance will not be billed unless a change order has been issued for unforeseen project items. Excessive Rock/shale Excavation. Unforeseen foreign debris within stock pile. Town / County Soils Department requirements not known at time of quote. Existing Grade Survey, Final Grade Survey, As Built Drawing Land Survey of post construction conditions. This contingency may be increased to supply any of these unforeseen items.

9. PERMITS AND FEES-

\$12,800.00

Included:

Any and all permits, fees, inspections needed by outside engineering fees are all billable to Society Hill Piscataway.

10. FUEL SURCHARGE BASED ON JUNE 2022

\$0.00

COST OF DIESEL TODAY: \$5.997 per gallon

****TO BE CONFIRMED IN THE MONTH PROJECT IS COMPELTED**

As you may be aware, fuel prices are at all-time high levels. Eosso Brothers Paving has resisted raising prices as long as possible, but due to the critical nature of the current situation, we can no longer continue to absorb the increased cost. Fuel costs constitute a significant portion of our burdened costs within the paving industry and are vital to operating our equipment and trucks.

FUEL SURCHARGE RATE: 2,500 Total Gallons Needed To Complete Project

Please see the link for the AAA Gas Price resource. <https://gasprices.aaa.com/?state=NJ>

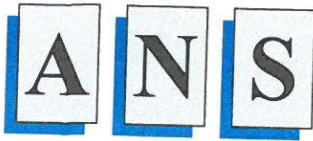
NEW JERSEY AVERAGE GAS PRICES

	Regular	Mid-Grade	Premium	Diesel
Current Avg.	\$4.910	\$5.410	\$5.650	\$5.985
Yesterday Avg.	\$4.919	\$5.421	\$5.656	\$5.997
Week Ago Avg.	\$4.992	\$5.457	\$5.694	\$6.040
Month Ago Avg.	\$4.754	\$5.159	\$5.373	\$6.222
Year Ago Avg.	\$3.122	\$3.477	\$3.654	\$3.310

PREPARED BY: 

PROPOSAL TOTAL: \$900,300.00





CONSULTANTS, INC.
 4405 South Clinton Avenue
 South Plainfield, NJ 07080

Tel: (800) 545-ATUL
(908) 754-8383
Fax: (908) 754-8633

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www.ANSConsultants.net

Soil, Concrete, Masonry, Rebar, Asphalt, Structural Steel, Precast, Piles, Caissons, Fire-proofing, Roofing, Soil Boring, Concrete/Rock Coring, UST Removal, Environmental Testing & Reports

December 20, 2021

Society Hill Piscataway
 550 Chesterfield Drive
 Piscataway, NJ 08854

Attn: Ms. Stacey Cole

Re: "Clean Fill" Testing of Soil Sample-TAL/TCL Test

Soil samples marked as ANS-5914-S1 & S2
 550 Chesterfield Drive
 Piscataway, NJ 08854

Dear Ms. Cole,

Enclosed, please find a laboratory test report for two (2) composite soil samples prepared on December 9, 2021 for the project referenced above. Sample ANS-5914-S1 is composite of 5-point grab samples collected from left side of pile and sample ANS-5914-S2 is composite of 5-point grab samples collected from right side of pile. The primary purpose of the sampling and analytical work was to determine the presence of any contaminants in the soil.

Samples were analyzed for Target Compound List (TCL), Target Analyte List (TAL), Total Petroleum Hydrocarbon (TPHC- by EPH Method), pH, Chromium Hexavalent & Chromium Trivalent. Test results were reviewed against NJDEP Residential Ingestion-Dermal, NJDEP Residential Inhalation, NJDEP Non-Residential Ingestion-Dermal, NJDEP Non-Residential Inhalation and NJDEP Migration to Ground Water Soil Remediation Standards effective from May 17, 2021.

Sample ANS-5914-S1:

The below listed Contaminants exceeded NJDEP Migration to Groundwater Soil Remediation Standards:

1. Beryllium -1.09 ppm (Allowable-0.7 ppm)

We recommend doing SPLP testing for Beryllium since it's exceeded NJDEP Criteria in this sample.

Sample ANS-5914-S2:

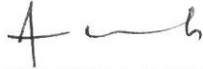
The below listed Contaminants exceeded NJDEP Migration to Groundwater Soil Remediation Standards:

1. Beryllium -1.16 ppm (Allowable-0.7 ppm)

We recommend doing SPLP testing for Beryllium since it's exceeded NJDEP Criteria in this sample.

Should you have any question or require additional information, please do not hesitate to contact the undersigned at (908) 754 - 8383.

Sincerely,
ANS CONSULTANTS, INC.



Atul Shah, PE, F.ASCE
President
NJ PE License #24GE03443900
ANS/np