

**AGENDA
MUNICIPAL COUNCIL
REGULAR MEETING
Wednesday, August 28, 2019
7:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 1, 2018 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **APPROVAL OF MINUTES:**
 - a. Worksession Meeting of April 8, 2019
 - b. Worksession Meeting of July 22, 2019
 - c. Regular Meeting of April 10, 2019
 - d. Regular Meeting of June 26, 2019
 - e. Regular Meeting of July 24, 2019
5. **COUNCIL PRESIDENT'S REMARKS**
6. **2019 SOLID WASTE BUDGET:**
 - a. Public Hearing
7. **NEW BUSINESS:**
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR MONDAY, SEPTEMBER 9, 2019.

O.2048-2019 ORDINANCE AUTHORIZING A MONTH TO MONTH LEASE FOR STORAGE OF TOWNSHIP VEHICLES AND EQUIPMENT.

O.2049-2019 ORDINANCE AMENDING VARIOUS SECTIONS OF THE TOWNSHIP CODE TO ESTABLISH A DEPARTMENT OF WATER AND SEWER FOR THE TOWNSHIP.

O.2050-2019 ORDINANCE AMENDING CHAPTER II OF THE CODE OF THE TOWNSHIP OF EDISON, SETTING FORTH PROCEDURES REGARDING THE ESTABLISHMENT AND ADMINISTRATION OF A SET-ASIDE PROGRAM

**FOR QUALIFIED MINORITY, WOMEN AND VETERAN
BUSINESSES PURSUANT TO THE LOCAL PUBLIC
CONTRACTS LAW, N.J.S.A. 40A:11-1 ET SEQ., IN
CONNECTION WITH TOWNSHIP PURCHASING AND
PROCUREMENT.**

8. PUBLIC COMMENT ON THE RESOLUTIONS:

9. PROPOSED RESOLUTIONS

Copies of these Resolutions are available for review only and are posted in the Council Chambers. Anyone desiring a copy may contact the Township Clerk after the meeting.

Consent Agenda

R.386-082019 Resolution approving disbursements for the period ending August 22, 2019.

R.387-082019 Resolution authorizing refund in the amount of \$263,872.25 for redemption of tax sale certificates.

R.388-082019 Resolution authorizing refund for tax overpayments totaling, \$87,468.30.

R.389-082019 Temporary Budget Appropriations

R.390-082019 Resolution authorizing refund of Sewer Charge overpayments totaling, \$12,480.68.

R.391-082019 Resolution authorizing the settlement of Tax Appeal to P & A Fennell Foods, Inc. for tax years 2015 and 2016 and by Saddle Brook Five LLC c/o Hala for Tax Years 2017 and 2018, Blk. 265.BB, Lot 43.Q1.

R.392-082019 Resolution authorizing the settlement of Tax Appeal to GLDS Enterprises, LLC for Tax Years 2015, 2016,2017,2018 and 2019 for Blk.122, Lot 24.C.

R.393-082019 Resolution authorizing the settlement of Tax Appeal to Alok and Monica Sood for tax Years 2016, 2018 and 2019, Blk. 1000, Lot 9.

R.394-082019 Resolution authorizing the settlement of Tax Appeal to Manohar and Nenita Wadke for Tax Years 2017, 2018 and 2019, for Blk. 415, Lot 58.

R.395-082019 Resolution authorizing the settlement of Tax Appeal to Umesh and Varsha Gopal for tax year 2019, Blk. 597.A, Lot 21.

R.396-082019 Resolution authorizing the settlement of Tax Appeal to S& A General Construction & Dev. Inc. (new Owner) 110 Clive LLC for Tax Year 2019, Blk. 557.H, Lot 30.B.

R.397-082019 Resolution authorizing overpayment refund caused by Successful Tax court Appeal to Eli Dweck & Albert Bijou for Blk.50, Lot 17, aka 2 Ethel Road- Suite 205A, in the amount of \$1,601.87.

R.398-082019 Resolution authorizing overpayment refund caused by Successful Tax court Appeal to Kislin Assoc. Inc. for Blk. 777, Lot 4.A, aka 106 Townsley St. in the amount of \$3,021.31.

- R.399-082019 Resolution authorizing overpayment refund caused by Successful Tax court Appeal to Kartik Real Estate, LLC, for Blk. 644.DD, Lot 19.F, aka 1691 Oak Tree Road in the amount of \$3,693.96.
- R.400-082019 Resolution authorizing overpayment refund caused by Successful Tax court Appeal to Ajay Bhambri & Neha Madhok for Blk. 1004, Lot 3 aka 26 Parker Road in the amount of \$807.32.
- R.401-092019 Resolution authorizing the Development and Submission of Grant Application to the Middlesex County Office of Arts & History Local Arts Program I for the Edison Municipal Alliance.
- R.402-082019 Resolution authorizing the Development and Submission of Grant Application to Target Foundation.
- R.403-082019 Resolution authorizing the Development and Submission of Grant Application for the NJT S530 Passenger Bus Program Grant.
- R.404-082019 Resolution retaining Millennium Strategies for the purpose of grant research, writing and management services, for a one (1) year period in the amount of \$66,000.00.
- R.405-082019 Resolution authorizing Mott MacDonald to provide additional engineering services in connection with Water Quality Accountability Act compliance in the amount of \$165,200.00.
- R.406-082019 This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Rivendell Lights, LLC, with respect to Block 3-B, Lots 18 and 19 on the Edison Township Tax Map, and more commonly known as the property located at the intersection of Zanzalari Way (a/k/a Truman Drive) and Yosko Drive (a private road).
- R.407-082019 This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Federal Business Centers, with respect to Block 390-E, Lot 4 on the Edison Township Tax Map, and more commonly known as 165 Fieldcrest Avenue.
- R.408-082019 A resolution requesting that the Township Planning Board review a draft resolution designating certain properties at Patrick Street and Route 287, specifically, a portion of Block 206 and Block 203-A, as identified on the attached tax map, as an 'area in need of rehabilitation' pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*
- R.409-082019 This Resolution authorizes the Mayor to execute the attached Utility Engineering and Construction Agreement and Amendment thereto with the State of New Jersey Department of Transportation, with respect to work required to be performed in connection with the construction of the Oak Tree Road Bridge on CR 604.
- R.410-082019 This Resolution increases the amount for professional fees to be paid to Radiant Resources, Inc. for its professional services related HR/Payroll Service Integration for the Township in an amount not to exceed \$19,000.00
- R.411-082019 This resolution provides for the refund of the unused portion of Developer's Escrow Fees posted by Spectrum LLC for its Planning Board application.

- R.412-082019 This Resolution authorizes the execution of a funding agreement with 1058 King George's Post Road Urban Renewal LLC and 1105 King George's Post Road Urban Renewal LLC in furtherance of redevelopment efforts pursuant to the Woodbridge Avenue Redevelopment Plan.
- R.413-082019 A Resolution authorizing an agreement with Edmunds & Associates, Inc. for the purpose of data migration related to certain water utility accounts.
- R.414-082019 Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 203-A, Lots 1-9 and Block 206, Lots 1-A, and 2 through 15 (in the area bounded by Patrick Street and Route 287) satisfies the criteria to be designated 'an area in need of redevelopment' pursuant to Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*
- R.415-082019 Resolution awarding Non Fair and Open Contract to PS & S for the Edison Township Department of Public Works Facility Master Plan. In the amount of \$39,900.00.
- R.416-082019 Awarding of Contract for Public Bid No. 19-08-01 Bus Services to Panrama Tours, Inc. in the amount of \$5,500.00.
- R.417-082019 Awarding of Contract for Public Bid No. 19-08-01 Bus Services to Villani Bus Co. in an amount not to exceed \$4,600.00.
- R.418-082019 Awarding of Contract for Public Bid No. 19-08-01 Bus Services to Suburban Trails, Inc. in an amount not to exceed \$33,000.00.
- R.419-082019 Awarding of Contract for Public Bid No. 19-08-01 Bus Services to George Dapper, Inc., in an amount not to exceed \$12,000.00.
- R.420-082019 Awarding of Contract for Public Bid No.19-02-03 Supplies for Office Equipment to CVR Computer Services in an amount not to exceed \$20,000.00.
- R.421-082019 Awarding of Contract for Public Bid No.19-02-03 Supplies for Office Equipment to The Tree House, Inc. in an amount not to exceed \$25,000.00.
- R.422-082019 Awarding of Contract for Public Bid No.19-02-03 Supplies for Office Equipment to W.B. Mason Co., Inc. in an amount not to exceed \$12,000.00.
- R.423-082019 Awarding of Contract/Purchase Order to Motorola Solutions, Inc. for the maintenance, Repair and Purchase of Radio Communication Equipment and Services to Motorola Solutions, Inc.in an amount not to exceed \$332,649.20.
- R.424-082019 Resolution accepting quote and Awarding Contract/Purchase order for home improvements as part of the community Development Block Grant Program to New Venture in the amount of \$18,780.00.
- R.425-082019 Resolution amending the Fiscal Year 2018 Community Development Block Grant Program.
- R.426-082019 Resolution provides for a refund of escrow fees posted by mistake to Edison 8 LLC for application Z61-2018 in the amount of \$4,165.00.
- R.427-082019 Resolution provides for a refund of a Construction Permit Fee to Beginnings Church of the Nazarene for Permit #2019-2064 in the amount of \$75.00.

- R.428-082019 Resolution authorizing the Development and Submission of 2019-2020 Rutgers University NJDEP Green Infrastructure 319H Program for grants funds to help support the development of Edison Township Environmental commission Dudash park Middlesex Greenway Access Enhancement Project.
- R.429-082019 Resolution Refunding Cash Performance to Glendale Properties, LLC for Application P27-02/03 in account #7760013259 in the amount of \$33,216.78.
- R.430-082019 Resolution authorizing the release of the Performance Bond to Beechwood at Edison, LLC, Blk. 396, Lot 5 & 7.
- R.431-082019 Resolution authorizing the release of the Performance Bond to Wardlaw Hartridge School, Blk. 415, Lots 9E-3, 9J-1,m 9K, 10A, Application #P2-2016.
- R.432-082019 Resolution authorizing Change Order #1 for Contract No. 19-01-15 with Whirl Corporation Inc. to rectify a drainage issue at Capestro Park (11,975.00) total amended contact amount of \$545,934.00.
- R.433-082019 Resolution authorizing the Township of Edison to purchase One Toro Groundsmaster 4000-D Rotary Mower and One (1) 4010-D Rotary Mower from Storr Tractor through the Education Services Commission of New Jersey Cooperative Pricing System in the amount of \$133,692.80.
- R.434-082019 Resolution accepting Quote and Awarding Contract/Purchase Order to Raritan Group, Inc. for the purchase of three Check Valves with accessories for the Progress Street Pumping Station in the amount of \$19,327.35.
- R.435-082019 Award of a Contract/Purchase Order to Bayshore for the Recycling of Asphalt and/or Concrete in an amount not to exceed \$15,000.00.
- R.436-082019 Resolution awarding an Emergency Contract/Purchase Order to A.M.E., Inc. for a new Sanyo Split Air Conditioning system for the Watch Commanders area in the amount of \$6,907.81.
- R.437-082019 Resolution to Release Street Opening Escrow for Permit DEV-0098, Blk. 337.E, Lot 18.H, 82 Silverlake Avenue in the amount of \$680.00
- R.438-082019 Resolution to Release Street Opening Escrow for Permit DEV-0103, Blk. 1156, Lot 7, 7 Ferris road in the amount of \$360.00.
- R.439-082019 Resolution to Release Street Opening Escrow for Permit DEV-0107, Blk. 97.C, Lot 36, 15 Price Drive, in the amount of \$1,400.00.
- R.440-082019 Resolution to Release Street Opening Escrow for Permit DEV-0106, Blk. 557.W, Lt 11, 116 Stephenville Parkway, in the amount of \$1,400.00.
- R.441-082019 Resolution Drunk Driving Enforcement Fund 2019 Grant Application.
- R.442-082019 Resolution approving participation in 2019 NJ State Body Armor Replacement Grant Funding Program.
- R.443-082019 Resolution Drive Sober or Get Pulled Over 2019 Labor Day Crackdown Grant Approval.
- R.444-082019 Resolution authorizing reimbursement for the ABC Program to Mohit Jain in the amount of \$320.00.
- R.445-082019 Resolution rescinding the renewal of a Liquor License for term 2019-2020, License #1205-33-008-008.

10. **ORAL PETITIONS AND REMARKS**

11. **ADJOURNMENT**

ORDINANCE O. 2048-2019

EXPLANATION: An Ordinance authorizing a month to month lease for storage of Township vehicles and equipment

**ORDINANCE OF THE TOWNSHIP OF EDISON
AUTHORIZING A MONTH TO MONTH LEASE OF CERTAIN PREMISES
LOCATED AT 212 DURHAM AVENUE, IN THE BOROUGH OF
METUCHEN, NEW JERSEY, FOR STORAGE OF
MUNICIPAL VEHICLES AND EQUIPMENT, AND AUTHORIZING THE EXECUTION
OF A LEASE AGREEMENT ASSOCIATED THEREWITH**

WHEREAS, Metuchen Acquisition Realty, LLC is the owner of certain premises located at 212 Durham Avenue, in the Borough of Metuchen (the "Premises"); and

WHEREAS, the Premises consists of approximately 9,975 square feet of space; and

WHEREAS, the Township of Edison (the "Township") has an immediate, emergent need of temporary storage for its vehicles and equipment during the winter season, and wishes to acquire an interest in the Premises by way of a month to month lease agreement with Metuchen Acquisition Realty, LLC, effective on or about December 1, 2019 in order to provide for storage for such vehicles and equipment; and

WHEREAS, the Lease Agreement shall be on a month to month basis, not to exceed four (4) months, at a monthly rental amount of \$8,911.00 gross for the Premises, which includes all utilities; and

WHEREAS, the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., and specifically, N.J.S.A. 40A:12-5(a)(1), authorizes a municipality, by ordinance, to provide for the acquisition of any real property by purchase or lease; and

WHEREAS, consistent with the foregoing, the Mayor and Township Council wish to authorize the execution of a Lease Agreement, effective on or about December 1, 2019, with Metuchen Acquisition Realty, LLC, on behalf of the Township, for the public purposes set forth above, in a form satisfactory to the Township Attorney.

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

1. That the Mayor is hereby authorized and directed to execute, and the Township Clerk to attest, a Lease Agreement between the Township of Edison and Metuchen Acquisition Realty, LLC regarding the Premises, so that the Township may rent the Premises for the public purposes referenced above. Said Lease Agreement shall be consistent with the representations referenced above, and shall be in a form satisfactory to the Township Attorney.
2. The Lease Agreement shall be effective on or about December 1, 2019.
3. That this Ordinance shall take effect in accordance with all applicable laws.

ORDINANCE O.2049-2019

EXPLANATION: An Ordinance amending various sections of the Township Code to establish a Department of Water and Sewer for the Township.

WHEREAS, the Township of Edison (the “**Township**”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township Code of General Ordinances (the “**Code**”) provides for the establishment and organization of the Township government; and

WHEREAS, the Township desires to amend Chapter 2 of the Code, entitled “Administration,” and Chapter 27 of the Code, entitled “Water and Sewer,” to establish a Department of Water and Sewer within the Township; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) has determined to amend Chapter 2 and Chapter 27 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

2-77.2 Divisions; Duties of Director.

The Department of Public Works shall be organized into seven (7) divisions: streets, [water supply], sanitation, [sewers], public buildings and grounds, parks and shade trees and vehicle maintenance. The Director of the Department, through such divisions and otherwise, and among other things, shall:

- a. Direct and supervise the preparation of plans and specifications and performance of the contracts of all Township public works and improvements;
- b. Provide all mechanical services required by any department, office or agency of the Township, except as otherwise directed by the Mayor or Business Administrator.

. . .

2-81 DIVISION OF SEWERS.

[2-81.1 Supervisor of Sewers; Duties of Division.]

[The head of the Division of Sewers shall be the Supervisor of Sewers. His or her salary shall be set according to union contract or fixed by ordinance. The Division shall construct, reconstruct, operate and maintain the Township's sanitary and storm sewerage systems and administer the Township's ordinances relating to sewers and drains. It shall also be responsible to assist in snow removal on all Township streets if so assigned that function by the Director of Public Works.] The

Division of Sewers shall be incorporated into the Department of Water and Sewer, as set forth in Chapter 27 herein.

CHAPTER XXVII DEPARTMENT OF WATER AND SEWER

[Article I Water]

27-1 DEPARTMENT [DIVISION] OF WATER AND SEWER [SUPPLY].

27-1.1 Department [Division] of Water and Sewer [Supply] Established.

There shall be created and established in and for the Township, a municipally owned public utility [division of] for water and sewer, to be known as the Edison Department [Division] of Water and Sewer [Supply], hereinafter referred to as the "Water and Sewer Utility." The authorized operations of the Water and Sewer Utility shall consist of the operation, management, control and maintenance of the water and sewer systems and all extensions and improvements hereafter made thereto, together with all services relating to such purposes, including the billing and collection of user fees and connection fees.

27-1.2 Water Supply; Control and Supervision.

Water used for the usual domestic and manufacturing purposes and supplied by the Township to the inhabitants thereof shall be under the supervision of the Department. [Division, subject to the ultimate control of the Municipal Council].

27-1.3 Director [Supervisor]; Appointment, Compensation and Vacancy.

There shall be appointed by [resolution of the Municipal Council] the Mayor, a [Supervisor of the Division of Water Supply] Director of the Department of Water, who shall receive such compensation as may be fixed annually by ordinance of the Municipal Council. The term of the Director [Supervisor] shall be for four (4) years. If any vacancy occurs in the office of the Director [Supervisor], his or her successor shall be appointed for the unexpired time only. Additional help may also be employed from time to time as may be required.

The Director will report directly to the Business Administrator. The Director is responsible for organizing, directing, and coordinating the employees of the Department. The Director has overall responsibility for determining major departmental policies, planning long- and short-range programs, budget preparation, personnel management and professional growth of staff, and deals with major technical and administrative matters with other departments, the Mayor, Business Administrator, City Council, various commissions, outside agencies, and the public at large. The Director shall have five (5) years of experience involving managing water distribution and sewer collection systems in New Jersey.

27-2 WATER USE REGULATIONS.

27-2.1 Regulations to Be Part of Contracts.

The following regulations shall be considered a part of the contract, with every person who uses water, and the fact of using water shall be considered as expressing assent on the part of the user to be bound thereby.

27-2.2 Application for Use of Water.

All applications for the use of water must be made at the office of the [Supervisor of the Division of Water Supply] Director of the Department of Water and Sewer and in the form prescribed, and must state fully and truly the various uses to which the water is to be applied; should it subsequently be required for other purposes, notice must be given before the desired charge is made.

27-2.3 Installation and Furnishing of Water Service Lines.

The Township will furnish and install all water service lines between the water mains and the curblines upon the proper application therefor by the property owner or his or her agent and the receipt of payment therefor.

27-2.4 Service Lines Specifications.

Copper pipe shall be used for all service lines ranging in sizes from three-fourths (3/4) inch to two (2) inches inclusive, and cast-iron pipe shall be used for all service lines and fire lines ranging in sizes from three (3) inches to eight (8) inches inclusive. Taps shall be made of the following sizes: three-fourths (3/4) inch, one (1) inch, one and one-half (1 1/2) inches, two (2) inches, three (3) inches, four (4) inches, six (6) inches and eight (8) inches.

27-2.5 Costs of Furnishing and Installing Service Lines.

The applicant shall pay Edison Water Company for the cost of furnishing and installing the water service line between the water main and the curbline based upon the Edison Water Company tapping fee schedule in effect at the time of the application.

27-2.6 Maintenance and Costs of Portions of Service Lines.

All water service lines between the water main and the curb cock shall be maintained by the Department of Water and Sewer [Division of Water Supply], at the expense of the property owner.

27-2.7 Opening and Closing of Curb Cocks.

The curb cock shall be opened and closed only by the Director of the Department of Water and Sewer [Supervisor of the Division of Water Supply], or his or her assistant, or by special permit granted in writing by the Director [Supervisor]. Any person or persons turning on the water after it has been turned off at the curb shall be fined the sum of twenty-five (\$25.00) dollars. The Township shall not be liable for any damage resulting from failure to observe this regulation.

27-2.8 Special Permit Required to Leave Water Running.

The water in no case shall be left running without a special permit from the Director of the Department of Water and Sewer [Supervisor of the Division of Water Supply].

27-2.9 Multiple Service from Single Service Pipes; Discontinuance of Service.

If written permission should be granted by the Director of the Department of Water and Sewer [Supervisor of the Division of Water Supply] for two (2) or more parties to take water through one (1) service pipe, the provision in

regard to the cutting off of the supply pipe shall be applicable to all the parties although one (1) or more of them shall be innocent of any cause of offense.

27-2.10 Owners Responsible for Water Bills of Tenants.

Owners of premises will be held responsible for the water bills of their tenants.

27-2.11 Water Supply by Consumers to Others Restricted.

No consumer shall supply water to other persons not entitled to its use except upon written permission from the Supervisor, under penalty of a fine of twenty-five (\$25.00) dollars for each and every offense.

27-2.12 Nonliability of Township for Interruptions in Service.

Consumers shall not be entitled to damages, nor will any part of a payment be refunded, for any stoppage of supply occasioned by an accident to any portion of the works, nor for stoppage for the purpose of additions or repairs. The Director [Supervisor] shall have the right to shut off the water to make extensions, alterations or repairs.

27-2.13 Accessibility for Inspections.

All apparatus and places supplied with water must be accessible and open to the inspection of the Director [Supervisor] or his or her agents at all times, and all pipes and fixtures shall be subject to rejection by the Director [Supervisor] if considered unsuitable for the purpose.

27-2.14 Use of Fire Hydrants.

Fire hydrants shall be used only by members of the Fire Department or other authorized officials, except upon written permission having been secured from the Director of the Department of Water and Sewer [Supervisor of the Division of Water Supply].

27-2.15 Service Connections to be Metered.

a. All service connections shall be metered except for construction purposes, when temporary service may be allowed by permission of the Supervisor. All water meters, except for new construction, shall be furnished and set by the Department of Water and Sewer [Division of Water Supply]. All meters remain the property of the Township. Meters may be required to be set either within the lines of the building to be supplied or in a specially constructed box at the curb, as may be directed by the Director [Supervisor].

b. Before water shall be turned on for construction purposes, an advance payment of eight (\$8.00) dollars shall be made for a one-family frame house for each service and twelve (\$12.00) dollars for a one-family house constructed more than fifty (50%) percent of any other material. In case of larger buildings or apartments, the charge shall be determined by the Director [Supervisor]. After the completion of the construction the water shall be turned off at the curb and not turned on again until application is received for a meter. Owners shall be liable for the minimum charge per quarter or any fraction thereof that the water is left turned on prior to installation of a meter.

27-2.16 Repair and Protection of Water Pipes and Fixtures; Tampering or Damaging Meter.

All persons using water shall keep their water pipes and fixtures within their properties and to the curb cock in good repair, and protect the same from frost at their own expense. They shall be held liable for all damage and loss which may result from their failure to do so. All water which passes through a meter will be charged for, whether used or wasted. Any person who tampers with a meter seal or the meter itself or causes any damage thereto shall liable, upon conviction, to the penalty stated in Chapter I, Section 1-5.

27-2.17 Notification of Defect in Service Pipe; Failure to Remedy.

Whenever it shall be found that the service pipe between the meter and the curb cock is not in serviceable condition, the owner or consumer shall be notified at once, and should he, she or they fail to remedy the defect within a reasonable time, the water will be shut off and not turned on until the necessary repairs have been made and a charge for shutting off and turning on the water has been paid.

27-2.18 Protection of Meters.

Consumers shall take all proper precaution to protect the meter from any injury including but not limited to injury from frost, hot water or steam. The owners of the premises will be held liable for all damage or loss to the Township for failure to properly care for and protect the meters.

27-2.19 Defective Meter.

In case of damage to a meter or the failure to register properly, the consumer or owner shall notify the Director of the Department of Water and Sewer [Supervisor of the Division of Water Supply] at once in order that the meter may be repaired or replaced by an accurate one. The charges for water during such period will be on the basis of ordinary use under similar conditions before the meter became defective. The consumer or owner shall cooperate with the Department of Water and Sewer [Division of Water Supply] in granting access to the meter for replacement. The failure to cooperate or to prevent the replacement of a damaged meter will result in water service being shut off until such meter is replaced. The Department of Water and Sewer [Division of Water Supply] will inspect and test any meter owned by the Department of Water and Sewer [Division of Water Supply] when requested to do so by the property owner or consumer. If such inspection and test proves the accuracy of the meter, there shall be a charge to the person requesting the test as follows:

3/4" × 5/8" disc	\$ 15.00
Straight 5/8" disc	15.00
Straight 3/4" disc	15.00
1" disc	20.00
1-1/2" disc	35.00
2" disc	35.00
2" turbine	35.00
3" disc	150.00
3" turbine	150.00
3" compound	175.00
4" turbine	175.00
4" compound	175.00
6" turbine	175.00
6" compound	200.00
8" turbine	175.00
8" compound	175.00
10" turbine	175.00
10" compound	175.00

27-2.20 Vacant Buildings; Owners to Notify Supervisor.

Owners of vacant buildings must give notice in writing of such vacancy to the Director of the Department of Water and Sewer [Supervisor of the Division of Water Supply] so that the water may be turned off.

27-2.21 Notice to Discontinue Service.

Any consumer wishing to discontinue water from the Township water supply system must give notice thereof in writing to the Director of the Department of Water and Sewer [Supervisor of the Division of Water Supply]. He or she will be charged for the use of water until such notice is given, when the water will be shut off.

27-2.22 Responsibility for Water Service Charges.

All charges in connection with the water supply are made against the owner of the premises where the water is used, and all bills will be so made out. All water rents or other fees and expenses incurred by the installation of service, or fines imposed, are a lien on the property, and owners are made responsible for any delinquency in the matter of payments by tenants or others.

27-2.23 Rates.

The following schedule of rates shall apply for the use of water:

a. A minimum charge for general metered service shall be charged quarterly and shall be based on the size of the meter in service with the amount of water allowance within the minimum charge.

Size of Meter (inches)	Water Allowance per Quarter (cubic feet)	Charge per Quarter
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5/8 to 3/4	950	\$	18.66
1	3,000		84.22
1 1/2	5,000		140.37
2	8,000		224.58
3	18,000		467.55
4	30,000		747.79
6	57,000		1,378.34
8	90,000		2,148.99
10	120,000		2,849.58
12	170,000		4,017.24

b. Water delivered shall be charged at the following rates:

Rate:

\$23.15/per thousand cubic feet.

c. For fire protection, the Department of Water and Sewer [Division of Water Supply] shall be paid an annual charge of four hundred twenty-four dollars and thirty-seven (\$424.37) cents per fire hydrant on private property.

d. Fire Line Service.

1. There shall be a charge for metered fire line service based on the size of the meter and unmetered fire line service based on the size of the service, without hose or hydrant connected to them according to the following table:

Size of Service (inches)	Charge per Quarter
2	\$ 129.64
4	467.45
6	839.58
8	1,261.20
10	1,680.99
12	2,100.77

2. There shall be a quarterly charge for metered fire line service based on the size of the meter and unmetered fire line service based on the size of the service, with hose or hydrant connected to them according to the following table:

Size of Service (inches)	Charge per Quarter
4	\$ 630.60
6	1,050.39
8	1,680.99
10	2,284.09
12	2,740.54

e. For installation of meter with remote read out register (residential), the charge shall be forty-two (\$42.00) dollars.

f. The rates charged to any resident of the Township, who shall have attained the age of sixty-five (65) years old, on their primary residence in accordance with paragraphs a. and b. above shall be those rates in effect for calendar year 1996. In order to be eligible for the senior citizen rate for any year, the resident must have obtained the age of sixty-five (65) as of January 1 of that year. The resident must notify the Water Company prior to January 1 to be eligible for the billing year beginning July 1. In accordance with the provision of the contract between Edison Township and the Edison Water Company, the rates contained in this section shall be in effect as of July 1, 2005.

27-2.24 Time for Payment.

All water rents are due and payable at the office of the Department of Water and Sewer [Division of Water Supply], quarterly, on the first day of each quarter, for users with consumption under two hundred thousand (200,000) cubic feet per quarter. For all users with normal or estimated use in excess of two hundred thousand (200,000) cubic feet per quarter, such bills shall be due and payable monthly. The Township does not guarantee the delivery of water bills. The owner is required to call at the office of the Department of Water and Sewer [Division of Water Supply] and pay or tender the amount due, whether the bill is received or not.

27-2.25 Penalties for Delinquent Payments.

A penalty of eight (8%) percent will be added to all bills not paid within thirty (30) days. The water will be shut off if bills remain unpaid sixty (60) days after they become due, after five (5) days' notice has been previously given, and will not be turned on again until all charges, including fifteen (\$15.00) dollars for shutting off and turning on the water, are paid.

27-2.26 Water Emergencies.

In case of emergency occasioned by drought or other shortage or stoppage of water supply, the Department of Water and Sewer [Division of Water Supply] may adopt necessary temporary measures or restriction and conservation. After public notice has been given and until the restrictions have been lifted, any person or corporation violating the provisions of this section shall be subject, upon conviction for violation thereof, to the penalty stated in Chapter I, Section 1-5. Continuing violations will subject the person or corporation committing the same to a discontinuance of water supply during the period of the emergency.

27-2.27 Backflow Protective Devices Required in Cases of Cross-Connections.

When a cross-connection exists between the public water supply and an unapproved water supply, a backflow protective device with double check valve must be installed to prevent unapproved water from mixing with the public water supply.

27-3-27-5 RESERVED.

[Article II Sewer Service System]

27-6 SEWER [CONNECTIONS] REGULATIONS

...

[27-10 SEWER UTILITY.]

27-10.1 Establishment; Purpose.

There is created and established upon the effective date of this section a municipally owned public utility to be known as the Edison Township Sewer Utility, hereinafter referred to as the "Sewer Utility." The authorized operations of the Sewer Utility shall consist of the operation, management, control and maintenance of the sewer system and all extensions and improvements hereafter made thereto, together with all services relating to such purposes, including the billing and collection of sewer user fees and connection fees.

27-10.2 Administration; Personnel.

The Mayor is authorized to appoint an individual who shall be responsible for the day-to-day administrative operations of the sewer utility, including proposing the annual budget for the sewer utility and making recommendations to the Municipal Council regarding sanitary sewer service rates and charges, the classification of users, general policy oversight of sewer utility administration and operations and the review and investigation of grievances. All personnel of the sewer utility shall be municipal employees; however, the salaries of the employees or appointments of the sewer utility shall be paid from the sewer utility fund.

27-10.3 Sewer Utility Fund.

All moneys derived from the operations of the sewer utility and other moneys applicable to its support shall be segregated and kept in a separate fund, known as the sewer utility fund, and treated as moneys held in trust for the purposes for which the sewer utility was created. Moneys in the sewer utility fund shall be applied only to costs of the sewer utility or as otherwise permitted by law and shall be accounted for in accordance with the local budget law and the local bond law.

27-10.4 Budget.

The budget of the sewer utility and the appropriations and disbursements from the sewer utility fund shall be in compliance with the local budget law and other applicable law.

27-10.5 Fees.

The charges and rents for connection to and use of the sewer system shall be fixed by ordinance and shall not be altered, amended or repealed by the provisions of this section.

27-10.6 Effect on Other Provisions.

To the extent that any previous ordinance or resolution is inconsistent with or contradictor hereto, said ordinance or resolution is amended or repealed to the extent necessary to make it consistent herewith. In all other respects, this article shall be a supplement to other ordinances and resolutions heretofore adopted relating to sewer system purposes.]

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 2 and Chapter 27 of the Code to read as follows:

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapter 2 and Chapter 27 of the Code shall remain unchanged and have full force and legal effect.

4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

ORDINANCE O.2050-2019

EXPLANATION: An ordinance amending Chapter II of the Code of the Township of Edison, setting forth procedures regarding the establishment and administration of a set-aside program for qualified minority, women and veteran businesses pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, in connection with Township purchasing and procurement.

WHEREAS, the Township of Edison ("Township") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township's Code of General Ordinances (the "Code") currently sets forth provisions pertaining to Township purchase and procurement, all in accordance with State law governing the same; and

WHEREAS, the municipal council of the Township ("Municipal Council") has determined to update Chapter II of the Code, to establish and administer a set-aside program for qualified minority, women and veteran businesses pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, and specifically, pursuant to the authority conferred by *N.J.S.A. 40A:11-42* to do so, all in connection with Township purchasing and procurement.

NOW THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey that:

SECTION 2.24.6 SET-ASIDE PROGRAM FOR QUALIFIED MINORITY, WOMEN AND/OR VETERAN BUSINESSES

(a) TITLE:

The title of this Ordinance shall be "An Ordinance Establishing a Qualified Minority, Women, and Veteran-Owned Business Set-Aside Program" (hereinafter collectively referred to the "Set Aside Program"). This Ordinance is being enacted pursuant to and in accordance with the provisions of *N.J.S.A. 40A:11-42 et seq.*

(b) DEFINITIONS:

For the purposes of this Chapter, the following definitions shall apply:

CONSTRUCTION CONTRACT:

Any agreement for the erection, repair or alteration of any building, structure, bridge, roadway or other improvement to real property.

CONTRACT:

Any agreement for the sale of goods or for the provision of services to the Township of Edison.

SUBCONTRACT:

A contract by which one agrees to render services or to provide materials necessary for the performance of another contract.

QUALIFIED MINORITY BUSINESS ENTERPRISE:

A business which has its principal place of business in this State, is independently owned and operated, is at least fifty one percent (51%) owned and controlled by minority group members and is certified as such through and with the State of New Jersey Division of Revenue.

QUALIFIED WOMEN'S BUSINESS ENTERPRISE:

A business which has its principal place of business in this State, is independently owned and operated, is at least fifty one percent (51%) owned and controlled by women and is certified as such through and with the State of New Jersey Division of Revenue.

MINORITY GROUP MEMBERS:

Persons who are African-American, Hispanic, Portuguese, Asian Americans, American Indians or Alaskan natives.

NJSAVI:

New Jersey Selective Assistance Vendor Information, a database that identifies businesses that are registered and/or certified as a Minority/Women/Veteran Owned Business Enterprise with the State of New Jersey, through the Division of Revenue.

QUALIFIED BUSINESS:

A minority-owned enterprise, or a women-owned enterprise, or veteran-owned enterprise, as defined herein and certified as such through and with the State of New Jersey Division of Revenue, OR a general contractor who hires as a subcontractor, a minority-owned, woman-owned, and/or veteran-owned business enterprise, as part of a contract award by the Township.

QUALIFIED VETERAN BUSINESS ENTERPRISE:

A business which has its principal place of business in this State, is independently owned and operated, is at least fifty one percent (51%) owned and controlled by a veteran.

SET-ASIDE CONTRACTS:

(1) A contract for goods, equipment, construction, or services, inclusive of sub-contracts, which is designated as a contract for which bids are invited and accepted only from qualified veteran business enterprises, qualified minority business enterprises or qualified women's business enterprises, as appropriate, (2) a portion of a contract when that portion has been so designated, or (3) any other purchase or procurement so designated;

THOSE PROCUREMENTS:

All purchases, contracts, or acquisitions by the Township which are permitted by law.

TOWNSHIP ADMINISTRATOR:

Shall mean the Township Administrator and/or his or her designee.

TOWNSHIP PURCHASING AGENT:

Shall meant the Township Purchasing Agent and/or his or her designee.

VETERAN:

Any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances who served in any branch of the Armed Forces of the United States or a Reserve component thereof for at least 90 days and shall include disabled veterans.

WOMEN'S BUSINESS ENTERPRISE:

A business which has its principal place of business in this State, is independently owned and operated, is at least fifty one percent (51%) owned and controlled by women and is and certified as such through and with the State of New Jersey Division of Revenue.

(c) Applicability:

These provisions concerning qualified businesses' participation in the Township of Edison's purchasing set-aside program shall apply to contracts for goods, services and/or construction awarded by or through the Township Purchasing Department.

(d) Purpose:

The purpose of this program of implementing the provisions of the Township of Edison's qualified business set-aside program is to set aside, or otherwise allocate five percent (5%) of the dollar value, utilizing the prior fiscal year as a baseline, of all of the Township's goods, services and construction contracts, to be utilized for qualified business enterprises.

(e) Goals; Revisions:

A. For the fiscal year beginning January 1, 2020, and for every fiscal year thereafter, the following goals for qualified business participation shall serve as the initial goals for the Township of Edison to pursue. Of the five percent (5%) there shall be:

(1) Thirty three percent (33%) Township contract participation for qualified minority-owned businesses.

(2) Thirty three percent (33%) Township contract participation for women-owned businesses.

(3) Thirty three percent (33%) Township contract participation for veteran owned business.

B. The Mayor and Township Council may revise the goals established herein by subsequent ordinance.

C. The above-stated percentages relate to the total dollar value, measured from the prior fiscal year, of all Township contracting departments and contracting agencies to be set aside for qualified businesses, as appropriate, as goals for Township departments and contracting agencies to achieve by the end of each fiscal year.

D. The monetary value of subcontracts awarded pursuant to this Ordinance shall be taken into account when reviewing whether the goals established by this Ordinance have been achieved.

(f) Good faith efforts:

A. Efforts which are merely *pro forma* shall not be deemed the good faith efforts necessary to generate a level of qualified business participation sufficient to meet the goals' requirements of the program.

B. Actions that demonstrate a good faith effort on the part of the Township's contracting departments and agencies may include but are not limited to:

(1) Notices to qualified businesses soliciting their participation in the set-aside program.

(2) The Purchasing Agent's provision of plans, specifications and requirements of the contract(s) to interested qualified businesses.

(3) The Purchasing Agent's provision of an annual list of anticipated Township purchases (approximate) by item category, dollar amount and month of bid.

(g) Effect on provisions:

If a Township contract for goods, services, or construction, which would otherwise be subject to the provisions of this chapter, is or becomes subject to federal or state laws which conflict with this program or actions thereof, federal or state law shall apply, and the contract shall be interpreted and enforced accordingly.

(h) Role of Township Administrator :

In the implementation of the Township's minority, women, and veteran owned business enterprise set-aside program and pursuant to the provisions of *N.J. S.A. 40A:11-49*, the Township Administrator or Purchasing Agent, if so designated by the Township Administrator, shall be responsible to do the following:

A. Make a good faith effort to attain the goals established by the Township's governing body pursuant to this program.

B. Designate a contract, subcontract or other means of procurement as a set-aside contract if it is likely to receive bids from at least two qualified businesses at a fair and reasonable price, to be determined by the Purchasing Agent and considering, without limit, the budget determined to be necessary for the procurement.

C. If it is determined by the Purchasing Agent that two bids cannot be obtained or that acceptance of the low responsible bid will result in the payment of an unreasonable price, the Purchasing Agent may recommend to the Township Administrator that the bids be resolicited on an unrestricted basis.

D. Designate contracts and/or subcontracts as set-aside contracts prior to advertisement, and notice of such designation shall be included in the advertisement.

(i) Certification & Compliance Officer:

The Township Administrator shall designate a Certification & Compliance Officer in the Purchasing Department to realize the intent of this Ordinance as set forth herein.

With respect to all contracts and procurements, it shall be the Certification & Compliance Officer's authority and responsibility to:

A. Maintain a list of eligible businesses; interact with the Department of Finance and Purchasing Department, to determine which Township contracts should be set aside for participation herein; oversee outreach to the qualified business enterprises; and to oversee and co-ordinate seminars for qualified business enterprises to expand the number of qualified businesses eligible to participate in this set aside program.

B. Maintain a listing of qualified businesses in the Edison Township Area for use by the Township's Departments and Offices.

C. Submit semi-annual reports to the Township Administrator to document the percentage of set-aside contracts which have been awarded to qualified businesses pursuant to the Township's set-aside program.

D. Have access to all records and files of all Township contracting agencies and departments that relate to construction, goods and services contracts in order to monitor and review compliance.

E. Make a written annual report to the Township Administrator indicating the good faith effort made by the Purchasing Department to attain the set-aside goals set forth in this program. Such report shall be submitted to the Township Administrator, Mayor and Council not later than January 31st of each year, of the previous year's activity. The Township shall publish a list of the Township's attainments (goals) for the immediate preceding local fiscal year, in two newspapers circulating in Middlesex County, by March 1st of each year pursuant to N.J.S.A. _40A:11-48.

F. Ascertain, with the assistance of the Purchasing Agent, the identity of qualified businesses in the Edison Township Area.

G. Classify each business according to contract types in which the business represents itself to have capabilities, place all classified businesses on a solicitation list and distribute the list to the Purchasing Agent. This list shall also include businesses within the area of Edison Township.

H. Survey all businesses placed on the solicitation list to determine their past and current participation level in Township contracts. The results may be used to ascertain the contracting agency's good faith effort to attain the goals as established by the Township.

(j) Implementation:

- A. The Township's Certification & Compliance Officer shall make such findings, recommendations and proposals as are necessary and appropriate to the implementation of the Township's set-aside program. If, as a result of his or her monitoring activities, the Certification & Compliance Officer determines that the goals set forth in this chapter are not being met by the Township, the Certification & Compliance Officer may recommend any or all of the following actions listed in Subsection B(1) through (3).
- B. The Certification & Compliance Officer shall submit a report to the Township Administrator setting forth the nature of the problem(s) and any suggestions for better implementation of the program. If the Township Administrator concludes that the Township's qualified minority, women, and veteran-owned business enterprise set-aside plan is unlikely to produce the participation goals, he or she may recommend that the Certification & Compliance Officer revise the Township's plan to provide additional opportunities for qualified business participation, such as, but shall not be limited to, the following:
- (1) Recommendations as to stronger solicitation efforts to identify more qualified minority, women, and veteran-owned businesses as potential sources of supply.
 - (2) Recommendations as to the elimination of extended experience or capitalization requirements, when programmatically feasible, to permit participation of qualified businesses in the set-aside program.
 - (3) Recommendations as to publication of advertisements for bids in more than one newspaper, e.g., minority-oriented newspapers.

(k) Certification:

- A. To ensure that only qualified businesses that are owned and controlled in both form and substance by minorities, women and veterans, which are counted towards the goals' requirements set forth in this chapter and the Township's minority business enterprise/women's business enterprise/veteran's business enterprise program(s), any minority or women, or veteran-owned business, including a joint venture, desiring to participate in the Township's set-aside program must be certified as a legitimate minority business enterprise/women's business enterprise/veteran business enterprise. Such certification shall follow the State of New Jersey's rules for being included in the NJSAVI database as set forth herein, and/or any other New Jersey governmental entity or agency that has qualified and certified a business as a qualified business enterprise described herein and throughout using the same criteria for determining a business' qualifications, and registration therein shall constitute certification for the purposes of the Township's set-aside program.
- B. Each qualified business owner shall submit a fully executed certification affirming that his or her business meets all the requirements to be a qualified business by January first of each year.
- C. The Certification & Compliance Officer will evaluate the submitted information to determine whether the applicant meets the criteria for qualified minority, women, and/or veteran-owned business enterprises. Prior to making a certification recommendation to the Township Administrator, the Certification & Compliance Officer may, in his/her discretion, request an interview with the applicant. Failure of an applicant to comply with requests for information or documentation may result in a determination of certification status based on the information supplied or a suspension of the application for certification.

D. Following certification, the Certification & Compliance Officer may require the business to furnish additional information from time to time in order to establish its continued eligibility for certification.

E. Upon becoming certified, a business shall notify the Certification and Compliance Officer if there is a change in the business that affects its status as a qualified business, including changes in the business that affect its status as a qualified business, including changes in ownership, control or management.

If a business is denied certification, the Township Administrator or his or her designee shall notify the business, in writing, of the reasons for its determination. The business may appeal the denial to the Township, which shall conduct a hearing at which the business shall have the opportunity to present witnesses and documents in support of its application for certification. The business must file its request for a hearing with the Township. No appeals will be considered if filed later than 15 days from the date of the notice. Businesses that are denied certification may not reapply for certification for a period of six months from the date of denial.

Businesses that have been previously certified through programs considered by the Certification & Compliance Officer to be similar or in concert with the Township's goals and objectives for qualified business contractors may be granted certifications pursuant to this plan upon approval by the Township Administrator.

The right of the Township Director of Finance to evaluate a bidder or contractor's ability to satisfy financial, technical or other criteria, separate and apart from the certification process provided for in this program, is not altered by this chapter.

The certification granted pursuant to this section shall entitle a business to participate in any category of contract or procurement for which it qualifies. The certification shall not be considered contract- or project-specific. The Township may, but shall not be required to, delay the award of any contract pending the appeal of the Township Administrator's decision to deny certification.

(1) De-certification:

A. Any qualified business enterprise may be decertified for the following reasons:

(1) For providing false or misleading information to the Certification & Compliance Officer during the certification process.

(2) If the qualified business enterprise is no longer an ongoing business entity.

(3) If the business entity has changed to the extent that it is no longer owned and controlled by minorities, or women, or veterans pursuant to the requirements of this program.

(4) For failure to report to the Township of Edison, within 10 days, any determination of the federal government or any state government, municipality or school board, or any department, subdivision, agency or authority of the federal government or any state government, municipality or school board denying or revoking the certification of the business as a minority, or women, or veteran-owned business enterprise.

(5) For failure to maintain registration with the State of New Jersey's SAVI database, or any other accepted certifier.

B. Upon review of the documentation concerning decertification, the Certification & Compliance Officer shall make a recommendation promptly to the Township Administrator concerning decertification, whereby the Township Administrator shall determine whether the business shall be decertified, and shall notify the business of such decision in writing. The business may appeal the decision to the Township in accordance with the provisions above. Reasons for decertifying a business shall be expressed by certified mail. The decertified business may not reapply for certification for a period of time to be determined by the Township Administrator and/or his or her designee, but in no event longer than a period of one year.

(m) Re-certification:

On a yearly basis, a qualified business shall submit any information requested by the Certification & Compliance Officer annually, to ascertain whether such business is still a qualified business pursuant to this program. If it is determined that the annual submission of information has changed to such an extent that the qualified business' status has changed, affecting the certified status, the Certification & Compliance Officer may recommend that the business be required to reapply for certification.

(n) Certification standards:

The Certification and Compliance Officer shall undertake the efforts necessary to educate businesses that wish to be certified as a minority, women, veteran owned business that in order to be certified the business must be able to comply with the following conditions:

A. Eligible minority business enterprises, women's business enterprises, or veteran business enterprises, under this program shall be independent businesses. There shall be conclusive evidence that the ownership and control of such business is real, substantial and continuing and shall go beyond the *pro forma* ownership of the business as reflected in its ownership documents. The minority business enterprise/women business enterprise/veteran business enterprise owners shall enjoy the customary interests of ownership. They shall share in the risks and profits commensurate with their interest of ownership. Recognition of the business as a separate entity for tax or corporate purposes is not necessarily sufficient for recognition as a minority business enterprise/women's business enterprise/veteran's business enterprise. To determine the legitimacy of an independent minority business enterprise/women's business enterprise/veteran business enterprise, the Certification & Compliance Officer shall consider all relevant factors concerning ownership and control of business assets, including but not limited to the date the business was established, whether its resources for the work of the contract are adequate and the degree to which financial, equipment-leasing and other relationships with nonminority firms vary from industry practice.

B. The minority business enterprise/women's business enterprise/veteran business enterprise owners shall have the power to direct or cause management and policy directions of the firm/business, as well as make major decisions on matters of management, policy and operations. The firm shall not be subject to any restrictions limiting the customary discretions of the minority or women or veteran owners. This shall include provisions in bylaws, partnership agreements or charter requirements for cumulative voting rights or otherwise that prevent the minority or women or veteran owners, without the cooperation or vote of any owner who is not a minority or woman or veteran, from making a business decision of the firm.

C. Where non-minority owners of the firm are disproportionately responsible for the firm's operation, then, by the standards of this program, the firm is not controlled by minorities or women or veterans, and shall not be considered a qualified business within the program's meaning.

D. In establishing a status of a legitimate minority and/or women-owned and/or veteran owned business, all securities which constitute ownership and/or control of a corporation shall be held directly by minorities or women or veterans. Securities held in trust or by any guardian for a minor shall not be considered as held by a minority and/or woman and/or veteran in determining the ownership and/or control of a corporation.

E. Capital or expertise contributed by minority and/or women and/or veteran owners to acquire their interest in the firm shall be real and substantial. A promise to contribute capital, a note payable to the firm or its owners who are not minorities, or the mere participation as an employee, rather than as a manager, shall be examples of insufficient contributions.

F. In determining eligibility as a minority business enterprise/women's business enterprise/veteran business enterprise business, in addition to the above standards, the Certification & Compliance Officer shall give special consideration to the following circumstances:

(1) Minority business enterprises/women's business enterprises/veteran business enterprises which are newly formed and whose ownership and/or control have changed since the date and/or time of the advertisement of the contract, shall be closely monitored to determine the reasons and the relationship between the timing, formation and/or change in the firm.

(2) Careful scrutiny and review of previous and/or continuing employer/employees relationships between or among present owners shall be conducted to ensure that the employer/owner has the management responsibilities pursuant to this program.

(3) Any relationship between a minority business enterprise/ women's business enterprise/veteran business enterprise and a non-minority-owned business having interest in the minority/women/veteran-owned business, shall be carefully monitored to determine if the interest of the minority/women/veteran-owned business enterprise conflicts with the ownership and control requirements of this program.

G. Joint ventures may be eligible to compete as minority/women's/veteran-owned business enterprises under this program, provided that the qualified business enterprise partner of the joint venture meets the eligibility standards of a minority/women's/veteran-owned business enterprise set forth herein, and the qualified partner shares in the ownership, control and management responsibilities, the risks and profits of the joint venture and the qualified business enterprise partner is responsible for a clearly defined portion of the work to be performed.

(o) Violations and penalties:

When the Township determines, after hearing, that a business has been classified as a qualified business enterprise on the basis of false information knowingly supplied by the business and has been awarded a contract to which it would not otherwise have been entitled, the Township may, in accordance with the provisions afforded to it by *N.J.S.A. 40A:11-47*:

A. Assess against the business any difference between the contract and what the Township's cost would have been if the contract had not been awarded in accordance with the provisions of this ordinance;

B. In addition to the amount due under subsection (a), assess against the business a penalty in an amount of not more than 10% of the amount of the contract involved; and

C. Order the business ineligible to transact any business with the Township for a period to be determined by the Township, which shall not exceed five (5) years, per *N.J.S.A. 40A:11-4*. Prior to any final determination, assessment or order under this section, the Township shall afford the business an opportunity for a hearing on the reasons for the imposition of the penalties set forth in subsections (a), (b) or (c) of this section.

The Township may file an action to enforce a civil penalty imposed by this ordinance providing for its collection or enforcement by a civil proceeding, which action shall be brought as a summary action in the Law Division of the Superior Court pursuant to New Jersey Court Rule 4:67. Severability. If a court of competent jurisdiction shall declare any section, paragraph, subsection, clause or provision of this Ordinance invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof, and the remaining provisions shall be construed to give effect to the intent thereof.

Inconsistency. All ordinances or parts of ordinances of the Township of Edison heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

Effectiveness. This Ordinance shall take effect on January 1, 2020, the beginning of the Township's next fiscal year.

RESOLUTION R.386-082019

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING AUGUST 22, 2019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through August 22, 2019.

FUND	AMOUNT
Current	\$38,981,100.80
Affordable Housing	15,016.00
Capital	132,600.90
Cash Performance	204,012.08
CDBG	123.44
Developers Escrow	90,155.00
Dog (Animal Control)	14,928.32
Federal Forfeited	641.28
Grant Funds	8,714.50
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	622,658.48
Sanitation Fund	1,136,990.17
Self Insurance	0.00
Sewer Utility	823,889.76
Tax Sale Redemption	214,716.56
Tree Fund	0.00
Tree Planting	0.00
Trust	207,001.92
Edison Landfill Closure Trust	0.00
TOTAL	\$42,452,549.21

/s/ Nicholas C. Fargo
Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the above-referenced disbursements report is hereby approved.

RESOLUTION R.387-082019

Authorizing refund for redemption of tax sale certificates

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that at various sales of land for delinquent taxes held by the Edison Township Collector of Taxes, Middlesex County, New Jersey, the attached listing of tax sale certificates were sold; and

WHEREAS, the Tax Collector further reports that the said tax sale certificates have been redeemed thereof, and further advises that the purchasers of said property are legally entitled to a refund of monies paid at the time of redemption.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the aforementioned recitals are incorporated herein as though fully set forth at length.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison, that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling **\$263,872.25**.

August 28, 2019

RESOLUTION R.388-082019

Authorizing refund for tax overpayments

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that on various properties located within the Township of Edison, overpayments of real estate taxes have been made due to erroneous or duplicate payments, and

WHEREAS, applications have been made to the Tax Collector for refunds of the said overpayments, and the Tax Collector advises that the requesters are entitled to refunds as provided the attached listing; and

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the aforementioned recitals are incorporated herein as though fully set forth at length.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing totaling **\$87,468.30**.

August 28, 2019

RESOLUTION R.389-082019

TEMPORARY BUDGET APPROPRIATIONS

WHEREAS, the Local Budget Law, specifically N.J.S.A. 40A:4-20, requires that the governing body of a municipality shall by Resolution make appropriations if any contract, commitments or payments are to be made between the beginning of the Calendar year and the adoption of budget; and

WHEREAS, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by April 30, 2019 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2019 Calendar Year Budget,

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey that the following Temporary Emergency Appropriations be made and that a certified copy of this Resolution be transmitted to the Director of Finance for her record.

<u>CURRENT FUND</u>	<u>AMOUNT</u>
BUSINESS ADMINISTRATOR Salary	0.00
BUSINESS ADMINSTRATOR Other Expenses	7,178.75
PURCHASING Salary	8,126.07
PURCHASING Other Expenses	32,682.75
PURCHASING CENTRAL STORE Other Expenses	5,195.33
COMMUNICATIONS/EDISON TV Salary	0.00
COMMUNICATIONS/EDISON TV Other Expenses	4,616.67
PERSONNEL/HR Salary	0.00
PERSONNEL/HR Other Expenses	7,054.17
MAYOR Salary	0.00
MAYOR Other Expenses	200.00
COUNCIL Salary	0.00
COUNCIL Other Expenses	615.00
MUNICIPAL CLERK Salary	0.00
MUNICIPAL CLERK Other Expenses	110,675.00
ETHICS COMMISSION Other Expenses	833.33
FINANCE DEPARTMENT Salary	600.00
FINANCE DEPARTMENT Other Expenses	0.00

DISBURSEMENTS Salary	0.00
DISBURSEMENTS Other Expenses	342.00
PAYROLL Salary	0.00
PAYROLL Other Expenses	0.00
AUDIT SERVICES	6,007.13
DATA PROCESSING Other Expenses	0.00
TAX COLLECTION Salary	0.00
TAX COLLECTION Other Expenses	2,514.17
TAX ASSESSMENT Salary	0.00
TAX ASSESSMENT Other Expenses	6,958.64
LEGAL DEPARTMENT Salary	0.00
LEGAL DEPARTMENT Other Expenses	61,666.67
ENGINEERING SERVICES Salary	0.00
ENGINEERING SERVICES Other Expenses	23,890.08
PLANNING BOARD Other Expenses	1,933.33
ENVIRONMENTAL COMM Other Expenses	108.33
ZONING BOARD Other Expenses	2,183.33
PLANNING & ZONING DEPT Salary	8,534.19
PLANNING & ZONING Other Expenses	8,500.00
CONSTRUCTION ENFORC AGENCY Salary	58,650.32
CONST ENF AGENCY Other Expenses	27,775.00
RENT CONTROL BOARD Salary	0.00
RENT CONTROL BOARD Other Expenses	116.67
GROUP HEALTH INSURANCE	1,934,281.08
EMPLOYEE SALARY AND WAGES(WAIVERS)	54,803.50
UNEMPLOYMENT INSURANCE EXPENSE	16,666.67
INSURANCE & SURETY Expense	0.00
LOSAP-Other Expenses	8,333.33

POLICE DEPARTMENT Salary	1,024,760.31
POLICE DEPARTMENT Other Expenses	58,476.66
DISPATCH 911 Salary	66,011.18
DISPATCH 911 Other Expenses	0.00
OFFICE OF EMRGNCY MGMT Other Expenses	1,250.00
AID TO VOL FIRE	9,166.67
AID TO VOL FIRST AID	8,750.00
FIRE FIGHTING Salary	1,155,810.77
FIRE FIGHTING Other Expenses	58,368.75
FIRE PREVENTION Salary	3,146.77
FIRE PREVENTION Other Expenses	0.00
FIRE HYDRANT CHARGES	128,953.33
STREETS & ROADS Salary	34,676.70
STREETS & ROADS Other Expenses	0.00
SOLID WASTE RECYCLING Salary	30,760.85
SOLID WASTE RECYCLING Other Expenses	4,562.50
BUILDINGS & GROUNDS Salary	0.00
BUILDINGS & GROUNDS Other Expenses	0.00
MUNICIPAL GARAGE Salary	0.00
MUNICIPAL GARAGE Other Expenses	4,995.66
POLICE VEHICLES Salary	0.00
POLICE VEHICLES Other Expenses	9,618.75
CONDO COMMUNITY COSTS	13,333.33
HEALTH Salary	45,662.68
HEALTH Other Expenses	11,825.00
SENIOR CITIZEN Salary	15,387.14
SENIOR CITIZEN Other Expenses	3,312.50
RECREATION Salary	27,467.99
RECREATION Other Expenses	47,879.50

PARKS & TREES Salary	20,898.80
PARKS & TREES Other Expenses	0.00
FREE PUBLIC LIBRARY Salary	50,138.13
FREE PUBLIC LIBRARY Other Expenses	120,968.72
CELEBRATION OF PUBLIC EVENTS EXPENSES	5,083.33
PUBLIC BUILDINGS HEAT,LIGHT,POWER	78,822.42
STREET LIGHTING EXPENSE	21,666.67
PUBLIC BUILDINGS TELEPHONE	0.00
FUEL & LUBRICANTS Other Expenses	0.00
CONTINGENT Expense	4,166.67
PERS Expense	0.00
O.A.S.I. (SOCIAL SECURITY) Expense	85,503.69
Defined Contribution Retirement Program Expense	6,000.00
MUNICIPAL COURT Salary	25,227.55
MUNICIPAL COURT Other Expenses	4,422.50
PUBLIC DEFENDER Salary	2,916.67
PUBLIC DEFENDER Other Expenses	166.67
TOTAL CURRENT FUND	<u><u>5,591,200.37</u></u>

SEWER UTILITY FUND**AMOUNT**

SEWER Salary	20,491.44
SEWER Other Expenses	112,420.00
SEWER Sewerage Disposal Charges	421,234.55
SEWER Capital Improvement Projects	0.00
SEWER Public Emp Retirement Sys (PERS)	0.00
SEWER Social Security (OASI)	0.00
Sewer Unemployment Insurance	0.00
TOTAL SEWER UTILITY FUND	554,145.99

SANITATION FUND**AMOUNT**

SANITATION Salary	67,149.00
SANITATION Other Expenses	223,062.36
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	0.00
SANITATION Public Emp Retirement Sys (PERS)	0.00
SANITATION Social Security (OASI)	0.00
SANITATION Disposal Fees	133,333.33
SANITATION Unemployment Insurance	0.00
SANITATION-Capital Outlay	0.00
TOTAL SANITATION FUND	423,544.69

RESOLUTION R.390-082019

Authorizing the refund of sewer charge overpayments

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that on various property discharging disposable water into Township of Edison sewer lines, we have received overpayment for sewer use charges due to erroneous or duplicate payments totaling amounts greater than that value billed to their sewer accounts for the indicated year and period; and

WHEREAS, applications have been made to the Tax Collector for refunds of the aforesaid overpayments, and the Tax Collector advises that the requesters are entitled to refunds as provided in attached listing; and

WHEREAS, the Municipal Council of the Township of Edison desires to authorize the refund of these sewer charge overpayments.

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the aforementioned recitals are incorporated herein as though fully set forth at length.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing in satisfaction of sewer charge overpayments totaling **\$12,480.68**, and that this Resolution shall take effect immediately.

RESOLUTION R.391-082019

EXPLANATION: This Resolution authorizes the settlement of tax appeals filed by P & A Fennell Foods, Inc. for Tax Years 2015 and 2016 and by Saddle Brook Five LLC c/o Hala for Tax Years 2017 and 2018.

WHEREAS, P & A Fennell Foods, Inc. filed tax appeals for the Tax Years 2015 and 2016, and Saddle Brook Five LLC, c/o Hala filed tax appeals for the Tax Years 2017 and 2018. (“Taxpayers”), the owners of property located at 750 United States Route 1, Block 265.BB , Lot 43.Q1 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2015, 2016, 2017 and 2018 with the Tax Court of New Jersey under Docket Numbers 010688-2015, 009064-2016, 00994-2017 and 009996- 2018.

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$391,700.00	\$391,700.00	\$391,700.00	\$391,700.00
Improvements:	<u>\$236,200.00</u>	<u>\$236,200.00</u>	<u>\$236,200.00</u>	<u>\$236,200.00</u>
Total:	\$627,900.00	\$627,900.00	\$627,900.00	\$627,900.00

WHEREAS, the proposed settlement provides for an assessment of the 2015 and 2016 Tax Year as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$391,700.00	\$391,700.00	\$391,700.00	\$391,700.00
Improvements:	<u>\$236,200.00</u>	<u>\$236,200.00</u>	<u>\$186,200.00</u>	<u>\$161,200.00</u>
Total:	\$627,900.00	\$627,900.00	\$577,900.00	\$552,900.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayer and “Waters, McPherson, McNeill, P.C. attorneys for Saddle Brook Five LLC c/o Hala and forwarded to Joseph G. Ragno, Esq., Waters, McPherson, McNeill., 300 Lighting Way, Post Office Box 1560, Secaucus New Jersey 07096 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$2,688.00** for 2017 and **\$4,119.75** for 2018.

NOW, THEREFORE BE IT RESOLVED, by the Township Council and the Township of Edison, County of Middlesex and State of New Jersey as follows:

1. For the 2015, 2016, 2017 and 2018 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$391,700.00	\$391,700.00	\$391,700.00	\$391,700.00
Improvements:	<u>\$236,200.00</u>	<u>\$236,200.00</u>	<u>\$186,200.00</u>	<u>\$161,200.00</u>
Total:	\$627,900.00	\$627,900.00	\$577,900.00	\$552,900.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2015, 2016, 2017, 2018 under Docket Numbers 010688-2015, 009064-2016, 00994-2017 and 009996-2018 by the Taxpayer, owner of the property located at 750 United States Route 1, Block 265.BB, Lot 43.Q1.
4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment.

RESOLUTION R.392-082019

EXPLANATION: This Resolution authorizes the settlement of tax appeals filed by GLDS Enterprises, LLC for the Tax Years 2015, 2016, 2017, 2018 and 2019

WHEREAS, GLDS Enterprises, LLC (“Taxpayer”), the owner of property located 2068 Lincoln Highway, Route 27, Block 1122 , Lot 24.C on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2015, 2016, 2017, 2018 and 2019 with the Tax Court of New Jersey under Docket Numbers 005049-2015, 001659-2016, 005311-2017, 005313-2018 and 000418-2019.

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$ 524,000.00	\$ 524,000.00	\$ 524,000.00	\$ 524,000.00	\$ 524,000.00
Improvements:	<u>\$ 555,500.00</u>	<u>\$ 555,500.00</u>	<u>\$ 555,500.00</u>	<u>\$ 555,500.00</u>	<u>\$ 555,500.00</u>
Total:	\$1,079,500.00	\$1,079,500.00	\$1,079,500.00	\$1,079,500.00	\$1,079,500.00

WHEREAS, the proposed settlement provides for an assessment of the 2015 through 2019 Tax Years as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$524,000.00	\$524,000.00	\$424,000.00	\$424,000.00	\$424,000.00
Improvements:	<u>\$343,000.00</u>	<u>\$242,000.00</u>	<u>\$290,000.00</u>	<u>\$224,000.00</u>	<u>\$152,000.00</u>
Total:	\$867,000.00	\$766,000.00	\$714,000.00	\$648,500.00	\$576,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudice; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Taxpayer and Trust Account of Harry Haushalter, Esquire and forwarded to Harry Haushalter, Esq., Lexington Square Commons, 2119 Highway 33, Suite A, Hamilton Square, New Jersey 08690 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$10,782.25 for 2015, \$16,540.26 for 2016, \$19,649.28 for 2017, \$23,697.98 for 2018 and \$27,652.22 for 2019.

NOW, THEREFORE BE IT RESOLVED, by the Township Council and the Township of Edison, County of Middlesex and State of New Jersey as follows:

1. For the 2015, 2016, 2017, 2018 and 2019 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$524,000.00	\$524,000.00	\$424,000.00	\$424,000.00	\$424,000.00
Improvements:	<u>\$343,000.00</u>	<u>\$242,000.00</u>	<u>\$290,000.00</u>	<u>\$224,000.00</u>	<u>\$152,000.00</u>
Total:	\$867,000.00	\$766,000.00	\$714,000.00	\$648,500.00	\$576,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2015, 2016, 2017, 2018 and 2019 under Docket Numbers 005049-2015, 001659-2016, 005311-2017, 005213-2018 and 000418-2019 by the Taxpayer, owner of the property located at 2068 Lincoln Highway, Route 27, Block 1122, Lot 24.C.
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment.

RESOLUTION R.393-082019

EXPLANATION: This Resolution authorizes the settlement of tax appeal filed by Alok and Monica Sood for Tax Years 2016, 2018 and 2019.

WHEREAS, Alok and Monica Sood (“Taxpayers”), the owners of property located at 2 Quincy Road, Block 1000, Lot 9 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a tax appeal for the Tax Years 2016, 2018 and 2019 with the Tax Court of New Jersey under Docket Numbers 010517-2016, 011153-2018 and 010288-2019.

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayers agree to settle their appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2016</u>	<u>2018</u>	<u>2019</u>
Land:	\$119,300.00	\$119,300.00	\$119,300.00
Improvements:	<u>\$408,800.00</u>	<u>\$408,800.00</u>	<u>\$408,800.00</u>
Total:	\$528,100.00	\$528,100.00	\$528,100.00

WHEREAS, the proposed settlement provides for an assessment of the 2016, 2018 and 2019 Tax Years as follows:

	<u>2016</u>	<u>2018</u>	<u>2019</u>
Land:	\$119,300.00	\$119,300.00	\$119,300.00
Improvements:	<u>\$408,800.00</u>	<u>\$356,010.00</u>	<u>\$291,800.00</u>
Total:	\$528,100.00	\$475,310.00	\$411,100.00

WHEREAS, the Taxpayers acknowledge that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayers will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayers and “Michael D. Mirne, Esq. Attorneys for Alok and Monica Sood and forwarded to Michael D. Mirne, Esq., 3200 Sunset Avenue, Ocean, New Jersey 07712, within sixty (60) days of the date of the entry of the judgments; and

WHEREAS, the Township Council will make this settlement with the Taxpayers without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayers are entitled to a refund in the amount of **\$2,783.62 for 2018 and \$6,286.41 for 2019.**

NOW, THEREFORE BE IT RESOLVED, by the Township Council and the Township of Edison, County of Middlesex and State of New Jersey as follows:

1. For the 2016, 2018 and 2019 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2016</u>	<u>2018</u>	<u>2019</u>
Land:	\$119,300.00	\$119,300.00	\$119,300.00
Improvements:	<u>\$408,800.00</u>	<u>\$356,010.00</u>	<u>\$291,800.00</u>
Total:	\$528,100.00	\$475,310.00	\$411,100.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeal filed for the years 2016, 2018 and 2019 under Docket Numbers 010517-2016, 011153-2018 and 010288-2019 by the Taxpayers, owners of the property located at 2 Quincy Road, Block 1000, Lot 9.
4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent

RESOLUTION R.394-082019

EXPLANATION: This Resolution authorizes the settlement of tax appeal filed by Manohar and Nenita Wadke for Tax Years 2017, 2018 and 2019.

WHEREAS, Manohar and Nenita Wadke (“Taxpayers”), the owners of property located at 16 Out of Bounds, Block 415, Lot 58 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the tax years 2017, 2018 and 2019 with the Tax Court of New Jersey under Docket Numbers 010336-2017, 010596-2018 and 009905-2019; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$151,600.00	\$151,600.00	\$151,600.00
Improvements:	<u>\$475,400.00</u>	<u>\$475,400.00</u>	<u>\$475,400.00</u>
Total:	\$627,000.00	\$627,000.00	\$627,000.00

WHEREAS, the proposed settlement provides for an assessment of the 2017, 2018 and 2019 Tax Year as follows:

	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$151,600.00	\$151,600.00	\$151,600.00
Improvements:	<u>\$448,400.00</u>	<u>\$423,400.00</u>	<u>\$348,400.00</u>
Total:	\$600,000.00	\$575,000.00	\$500,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayers and “Eric Salant, Esq., attorneys for Manohar and Nenita Wadke” and forwarded to Eric Salant, Esq., 998 Holmdel Road, Holmdel, New Jersey 07733 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayers are entitled to a refund in the amount of \$1,451.52 for 2017, \$2,741.44 for 2018 and \$6,823.71 for 2019.

NOW, THEREFORE BE IT RESOLVED, by the Township Council and the Township of Edison, County of Middlesex and State of New Jersey as follows:

1. For the 2017, 2018 and 2019 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$151,600.00	\$151,600.00	\$151,600.00
Improvements:	<u>\$448,400.00</u>	<u>\$423,400.00</u>	<u>\$348,400.00</u>
Total:	\$600,000.00	\$575,000.00	\$500,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and

3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeal filed for the years 2017, 2018 and 2019 under Docket Numbers 010336-2017, 010596-2018 and 009905-2019, Tax appeal by the Taxpayers, owner of the property located at 16 Out of Bounds, Block 415, Lot 58.

4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court; and

5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent

RESOLUTION R.395-082019

EXPLANATION: This Resolution authorizes the settlement of tax appeal filed by Umesh and Varsha Gopal for Tax Year 2019.

WHEREAS, Umesh and Varsha Gopal (“Taxpayers”), the owners of property located at 38 Clive Hills Road, Block 597.A, Lot 21 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the tax year 2019 with the Tax Court of New Jersey under Docket Number 010468-2019; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2019</u>
Land:	\$166,900.00
Improvements:	<u>\$229,800.00</u>
Total:	\$396,700.00

WHEREAS, the proposed settlement provides for an assessment of the 2019 Tax Year as follows:

	<u>2019</u>
Land:	\$166,900.00
Improvements:	<u>\$123,800.00</u>
Total:	\$290,700.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayers and “Eric Salant, Esq., attorneys for Umesh and Varsha Gopal” and forwarded to Eric Salant, Esq., 998 Holmdel Road, Holmdel, New Jersey 07733 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayers are entitled to a refund in the amount of **\$5,695.38** for 2019.

NOW, THEREFORE BE IT RESOLVED, by the Township Council and the Township of Edison, County of Middlesex and State of New Jersey as follows:

1. For the 2019 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2019</u>
Land:	\$166,900.00
Improvements:	<u>\$123,800.00</u>
Total:	\$290,700.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeal filed for the year 2019 under Docket Number 010468-2019, by the Taxpayers, owners of the property located at 38 Clive Hills Road, Block 597.A, Lot 21.
4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent.

RESOLUTION R.396-082019

EXPLANATION: This Resolution authorizes the settlement of tax appeal filed by S&A General Construction & Dev Inc (New Owner) 110 Clive LLC for Tax Year 2019.

WHEREAS, S&A General Construction & Dev Inc. (New Owner) 110 Clive LLC (“Taxpayer”), the owner of property located at 110 Clive Street, Block 557.H, Lot 30.B on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the tax year 2019 with the Tax Court of New Jersey under Docket Number 011097-2019

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2019</u>
Land:	\$294,600.00
Improvements:	<u>\$100,000.00</u>
Total:	\$394,600.00

WHEREAS, the proposed settlement provides for an assessment of the 2019 Tax Year as follows:

	<u>2019</u>
Land:	\$169,200.00
Improvements:	<u>\$100,000.00</u>
Total:	\$269,200.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayer and “Jennifer R. Jacobus, Esq., attorneys for S&A General Construction & Dev Inc. (New Owner) 110 Clive LLC ” and forwarded to Jennifer R. Jacobus, Esq., 201 Littleton Road, 1st Floor, New Jersey 07950 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$6,737.74 for 2019.

NOW, THEREFORE BE IT RESOLVED, by the Township Council and the Township of Edison, County of Middlesex and State of New Jersey as follows:

1. For the 2019 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2019</u>
Land:	\$169,200.00
Improvements:	<u>\$100,000.00</u>
Total:	\$269,200.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeal filed for the year 2019 under Docket Number 011097-2019, by the Taxpayers, owners of the property located at 110 Clive Street, Block 557.H, Lot 30.B.
4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent.

RESOLUTION R.397-082019

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	DWECK, ELI & BIJOU, ALBERT
PROPERTY LOCATION	2 ETHEL RD-SUITE 205A
BLOCK / LOT / QUALIFIER	50 / 17 / C2051

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced for the tax years below, as follows:

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
009821-2017	2017	429,700	429,000	(700)
009507-2018	2018	429,700	400,000	(29,700)

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$1,601.87** for the years as follows:

TAX YEAR	TAX AMOUNT
2017	(36.09)
2018	(1,566.78)

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$1,601.87**.

RESOLUTION R.398-082019

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	KISLIN ASSOC INC C/O STANLEY KISLIN
PROPERTY LOCATION	106 TOWNSLEY ST
BLOCK / LOT / QUALIFIER	777 / 4.A

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced as follow for the tax years below, including Freeze Act Year(s), if any, as per provisions of N.J.S.A. 54:51A-8 (Freeze Act):

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
010234-2017	2017	\$527,800	\$500,000	(27,800)
010234-2017 Freeze Act	2018	\$527,800	\$500,000	(27,800)
010234-2017 Freeze Act	2019	\$527,800	\$500,000	(27,800)

WHEREAS, the reduction in assessed value caused a real estate tax overpayment in the amounts and for the years indicated as follow, totaling **\$3,021.31**:

TAX YEAR	TAX AMOUNT
2017	\$1,494.53
2018	\$1,526.78

WHEREAS, the reduction in assessed value may also cause a real estate tax overpayment for the current tax year **2019** for which the tax rate has not been set and Final Tax Bill has not been issued.

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that the:

- 1) Aforementioned recitals are incorporated herein as though fully set forth at length.
- 2) Tax Collector shall and is hereby authorized to adjust the tax accounts to reflect the reductions of assessments ordered by the tax court as indicated above.
- 3) Appropriate official of the Township of Edison, shall and is hereby authorized to draw check to the property owner or legal representative in the amounts noted above totaling **\$3,021.31**.
- 4) Appropriate official of the Township of Edison, shall and is hereby authorized to draw additional check to the property owner or legal representative in the amounts calculated by the Tax Collector after the setting of the tax rate, if at such time the account reflects a further overpayment.

RESOLUTION R.399-082019

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	KARTIK REAL ESTATE LLC
PROPERTY LOCATION	1691 OAK TREE RD
BLOCK / LOT / QUALIFIER	643.DD / 19.F

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced as follow for the tax years below, including Freeze Act Year(s), if any, as per provisions of N.J.S.A. 54:51A-8 (Freeze Act):

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
003651-2017	2017	\$1,563,400	1,528,400	(35,000)
004071-2018	2018	\$1,563,400	1,530,400	(33,000)
004071-2018 Freeze Act	2019	\$1,563,400	1,530,400	(33,000)

WHEREAS, the reduction in assessed value caused a real estate tax overpayment in the amounts and for the years indicated as follow, totaling **\$3,693.96**:

TAX YEAR	TAX AMOUNT
2017	\$1,881.60
2018	\$1,812.36

WHEREAS, the reduction in assessed value may also cause a real estate tax overpayment for the current tax year **2019** for which the tax rate has not been set and Final Tax Bill has not been issued.

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that the:

- 1) Aforementioned recitals are incorporated herein as though fully set forth at length.
- 2) Tax Collector shall and is hereby authorized to adjust the tax accounts to reflect the reductions of assessments ordered by the tax court as indicated above.
- 3) Appropriate official of the Township of Edison, shall and is hereby authorized to draw check to the property owner or legal representative in the amounts noted above totaling **\$3,693.96**.
- 4) Appropriate official of the Township of Edison, shall and is hereby authorized to draw additional check to the property owner or legal representative in the amounts calculated by the Tax Collector after the setting of the tax rate, if at such time the account reflects a further overpayment.

RESOLUTION R.400-082019

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	BHAMBRI, AJAY & MADHOK, NEHA
PROPERTY LOCATION	26 PARKER RD
BLOCK / LOT / QUALIFIER	1004 / 3

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced for the tax years below, as follows:

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
011578-2018	2018	464,700	450,000	(14,700)

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$807.32** for the years as follows:

TAX YEAR	TAX AMOUNT
2018	(807.32)

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$807.32**.

RESOLUTION R.401-092019

WHEREAS, The Edison Department of Health and Human Services (EDHHS) established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty five years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the Middlesex County Office of Arts & History (MCOAH) has grant funds available, through its 2020 Local Arts Program (LAP) for eligible programs, projects, activities and related costs of qualified organizations in throughout Middlesex County, for which it shall accept on-line applications via the 2020 MCOAH LAP I application website; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of approximately \$20,000.00 from the Middlesex County Office of Arts & History Local Arts Program I, as it shall help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, a 25% Cash Match is required to submit an application to and receive a grant award from the 2020 Middlesex County Office of Arts & History Local Arts Program I; and

WHEREAS, the EDHHS EMA/BRIDGES Teen Arts Program has successfully participated in the MCCHS (MCOAH) LAP over the past ten years; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Middlesex County Local Arts Program I as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application to the Middlesex County Office of Arts & History Local Arts Program I, at a regularly-scheduled Work Session on August 26, 2019 and Public Meeting on the evening of Wednesday, August 28, 2019.

RESOLUTION R.402-092019

WHEREAS, The Edison Department of Health and Human Services, established the Edison Municipal Alliance (EMA), as a grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty two years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous personal/interpersonal conduct and activities; and

WHEREAS, the *Target Foundation* has grant funds available, through its *Field Grant Program* to support learning opportunities outside the classroom of qualified organizations and agencies of the communities Target stores serve, for which it continues to solicit on-line requests; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding from the *Target Foundation*, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities such as its EMA Youth Programs; and

WHEREAS, no matching funds are required in order for the Edison Department of Health and Human Services, through EMA, to apply for grant funding from the *Target Foundation*; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the *Target Foundation* as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, at a regularly-scheduled, combined Work Session on the evening of Monday, August 26, 2019 and subsequent Public Meeting on the evening of Wednesday, August 28, 2019.

RESOLUTION R.403-082019

Explanation: Approval and authorization by the Municipal Council of the Township of Edison of the development and submission of a grant application to the NJT S5310 FFY2018 Bus-Related Equipment and Facilities Program, funded by the Federal Transportation Authority (USFTA) USFTA SAFETEA-LU (80%) and NJ Transit (20%). The intent of this program is to improve mobility for seniors and individuals with disabilities by providing financial support to public and private transportation service providers, through programs planned, designed and carried out to meet the special transportation needs of these populations.

WHEREAS, the Edison Department of Health and Human Services (EDHHS) Division of Senior Services (DSS) operates an established and continuing passenger ETS (Edison Transportation Service) bus-services program for the transportation needs of local Senior and Disabled Citizens; and

WHEREAS, grant support of up to 80% is currently available from the 2018 USFTA NJDOT Section 5310 Bus and Bus-Related Equipment and Facilities Grant Program, as funded by the US Federal Transportation Authority (USFTA), with a requisite 20% cash match provided by NJ Transit; and

WHEREAS, EDHHS DSS desires to apply for and obtain an estimated \$64,000.00 grant from the 2018 USFTA S5310 Bus and Bus-Related Equipment and Facilities Program, with an estimated, requisite cash-match of \$16,000.00 to be provided by NJ Transit, in order to obtain the award of a new, fuel-efficient, high-mileage, lower-emissions, ADA-certified, gasoline-powered bus from NJT to serve the increasing transportation needs of the local Senior and Disabled Citizens of the Township of Edison; and

WHEREAS, the Township of Edison is an active participant in the County of Middlesex Coordinated Human Services Transportation Plan (CHSTP).

NOW, THEREFORE, BE IT RESOLVED, the Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby authorize the Edison Department of Health and Human Services Division of Senior Services to develop and submit said grant application to the 2018 USFTA S5310 Bus and Bus-Related Equipment and Facilities Program, funded by the USFTA (80%) and NJT (20%), at a regularly-scheduled Work Session on the evening of August 24, 2019 and Public Meeting on the evening of August 26, 2019.

RESOLUTION R.404-082019

EXPLANATION: A Resolution retaining Millennium Strategies for the purpose of grant research, writing and management services, for a one (1) year period.

WHEREAS, the Township of Edison (“**Township**”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township desires to avail itself of the numerous possibilities to supplement funding for projects beneficial to the Township; and

WHEREAS, to avail itself to the numerous possibilities to supplement funding for projects beneficial to the Township, Millennium Strategies, 60 Columbia Road, Suite 230, Morristown, New Jersey 07960 (“**Millennium Strategies**”) prepared a proposal for services, with regard to the grant research, writing and management services for the Township; and

WHEREAS, Millennium Strategies has proven itself as a successful and results-oriented grant research, writing and management firm, as is evidence by its current representation of numerous municipalities, counties and non-profits in New Jersey, New York, Pennsylvania and Delaware; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, authorizes the award of contracts for “Professional Services” without competitive bids; and

WHEREAS, the Township desires to retain Millennium Strategies at a cost of Sixty-Six Thousand Dollars (\$66,000.00), inclusive of all Millennium Strategies travel time and expenses as well as attendance at all designated meetings, for one (1) year from the date of execution of a contract with Millennium Strategies, to undertake evaluation of the Township funding procurement efforts, notification of all available funding opportunities, research, preparation submission and follow-up of all available funding applications, representation of the Township with legislative and government officials regarding grant and funding procurement and attendance at meetings as requested with forty-eight (48) hours’ notice, whereby either party may terminate the contract on fourteen (14) days’ written notice.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Township desires to retain Millennium Strategies at a cost of Sixty-Six Thousand Dollars (\$66,000.00), inclusive of all Millennium Strategies travel time and expenses as well as attendance at all designated meetings, for one (1) year from the date of execution of a contract with Millennium Strategies, to undertake evaluation of the Township funding procurement efforts, notification of all available funding opportunities, research, preparation submission and follow-up of all available funding applications, representation of the Township with legislative and government officials regarding grant and funding procurement and attendance at meetings as requested with forty-eight (48) hours’ notice, whereby either party may terminate the contract on fourteen (14) days’ written notice, consistent with the Services Proposal attached hereto as Exhibit A.

Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute the contract with Millennium Strategies for its grant research, writing and management services.

Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.

Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to Millennium Strategies.

Section 6. This Resolution shall take effect immediately.

RESOLUTION R.405-082019

EXPLANATION: A Resolution authorizing Mott MacDonald to provide additional engineering services in connection with Water Quality Accountability Act compliance.

WHEREAS, the Township of Edison (“**Township**”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, (the “**LPCL**”) authorizes the award of contracts for “Professional Services” without competitive bids; and

WHEREAS, pursuant to the LPCL, the Township issued a Request for Proposals for Engineering Services, RFP 16-06, and by way of Resolution R.528-072016 authorized Mott MacDonald (“**Engineer**”) to provide engineering services on an as-needed basis,

WHEREAS, the Township desires to authorize the Engineer to provide engineering services in conjunction with compliance by the Township with the requirements of the New Jersey Water Quality Accountability Act (the “**Engineering Services**”); and

WHEREAS, the Township desires to authorize an additional One Hundred Sixty-Five Thousand and Two Hundred Dollars (\$165,200.00) to Engineer in furtherance of the Engineering Services and as set forth in the proposal attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Township desires to authorize the Engineering Services in the amount of \$165,200.00, consistent with the proposal attached hereto as Exhibit A.

Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Engineer for its Engineering Services in the amount of \$165,200.00.

Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.

Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to Mott.

Section 6. This Resolution shall take effect immediately.

RESOLUTION R.406-082019

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Rivendell Lights, LLC, with respect to Block 3-B, Lots 18 and 19 on the Edison Township Tax Map, and more commonly known as the property located at the intersection of Zanzalari Way (a/k/a Truman Drive) and Yosko Drive (a private road).

WHEREAS, Block 3-B, Lots 18 and 19, more commonly known as the property located at the intersection of Zanzalari Way (a/k/a Truman Drive) and Yosko Drive (a private road), as shown on the Township of Edison tax maps (the "**Property**") was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "**Board**") made by Rivendell Lights, LLC ("**Developer**"), for preliminary and final site plan approval to permit the construction of a 250-unit multi-family development, housed in 17 buildings with 485 parking spaces, with 15% of the units, or 38 apartments, set aside for low and moderate income residents at the Property (the "**Project**"); and

WHEREAS, the Board granted amended site plan approval for the Project by adoption of a resolution on December 17, 2018 (the "**Resolution**"); and

WHEREAS, the Township of Edison (the "**Township**") and Developer desire to enter this Developer's Agreement to establish the terms pursuant to which the Developer shall undertake construction on the Project, and related matters; and

WHEREAS, the Code of the Township of Edison requires the developer to enter into a Developer's Agreement with the Township in connection with the Project; and

WHEREAS, the Developer's Agreement attached hereto between the Township and Developer (the "**Agreement**") has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the Developer.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex and State of New Jersey as follows:

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.

2. The Township Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.

3. This Resolution shall take effect immediately.

RESOLUTION R.407-082019

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Federal Business Centers, with respect to Block 390-E, Lot 4 on the Edison Township Tax Map, and more commonly known as 165 Fieldcrest Avenue.

WHEREAS, Block 390-E, Lot 4, more commonly known as 165 Fieldcrest Avenue, as shown on the Township of Edison tax maps (the "**Property**") was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "**Board**") made by Federal Business Centers ("**Developer**") for amended final site plan approval and a parking variance to expand the parking area in the rear, southwest corner of the Property to increase the number of parking spaces from 154 to 172 at the Property (the "**Project**"); and

WHEREAS, the Board granted amended site plan approval for the Project by adoption of a resolution on May 13, 2019 (the "**Resolution**"); and

WHEREAS, the Township of Edison (the "**Township**") and Developer desire to enter this Developer's Agreement to establish the terms pursuant to which the Developer shall undertake construction on the Project, and related matters; and

WHEREAS, the Code of the Township of Edison requires the developer to enter into a Developer's Agreement with the Township in connection with the Project; and

WHEREAS, the Developer's Agreement attached hereto between the Township and Developer (the "**Agreement**") has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the Developer.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex and State of New Jersey as follows:

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.
3. This Resolution shall take effect immediately.

RESOLUTION R.408-082019

EXPLANATION: A resolution requesting that the Township Planning Board review a draft resolution designating certain properties at Patrick Street and Route 287, specifically, a portion of Block 206 and Block 203-A, as identified on the attached tax map, as an ‘area in need of rehabilitation’ pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* as amended (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute “areas in need of rehabilitation,” as defined in the Redevelopment Law; and

WHEREAS, in accordance with the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”) has determined to investigate whether the property bounded by Patrick Street and Route 287, as more fully detailed on the map attached hereto as Exhibit A (the “**Study Area**”) should be designated as an area in need of rehabilitation; and

WHEREAS, Section 14 of the Redevelopment Law, *N.J.S.A. 40:12A-14(a)*, provides that prior to the adoption of a resolution designating property (such as the Study Area) as an area in need of rehabilitation, the Municipal Council must first submit a copy of the proposed resolution designating such property to the Township planning board (the “**Planning Board**”) for review; and

WHEREAS, the Township seeks the review and recommendations of the Planning Board in connection with the Township’s finding that 1) the area is vacant, underutilized and deteriorating, and 2) a majority of the water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial maintenance, and a program of rehabilitation, including new construction, are expected to prevent further stagnation and deterioration and to promote the overall development of the community; and

WHEREAS, based on the foregoing, the Municipal Council intends to designate the Study Area as an area in need of rehabilitation pursuant to the Redevelopment Law by way of the adoption of a resolution substantially in the form attached hereto as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Municipal Council hereby directs that the Township Clerk transmit a copy of this Resolution, inclusive of Exhibits A and B, to the Planning Board for its review and recommendation to the Municipal Council, returnable within forty-five (45) days of receipt of this Resolution, pursuant to Section 14 of the Redevelopment Law, *N.J.S.A. 40A:12A-14(a)*.

Section 3. A copy of this Resolution shall be available for public inspection at the offices of the Township.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.409-082019

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Utility Engineering and Construction Agreement and Amendment thereto with the State of New Jersey Department of Transportation, with respect to work required to be performed in connection with the construction of the Oak Tree Road Bridge on CR 604.

WHEREAS, the State of New Jersey Department of Transportation (the “**NJDOT**”), is required to perform work related to the construction of the Oak Tree Road Bridge on CR 604 (the “**Project**”), in the Township of Edison (“**Township**”); and

WHEREAS, the work may require the protection, relocation and/or adjustment of certain facilities of the Township’s existing sewer system; and

WHEREAS, NJDOT will be responsible for the cost of relocating any public utility and cable television facilities to accommodate the work; and

WHEREAS, while the Township has some obligation for certain design and other work responsibilities as specifically set forth in the Agreement, the NJDOT will reimburse the Township for such costs; and

WHEREAS, the Township and NJDOT desire to enter a Utility Engineering and Construction Agreement and Amendment thereto (together, the “**Agreement**”) to establish the terms pursuant to which the NJDOT shall undertake construction on the Project, and related matters; and

WHEREAS, the Agreement attached hereto between the Township and NJDOT has been reviewed and approved by the Township Attorney, the Township Engineer and NJDOT.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, in the County of Middlesex and State of New Jersey as follows:

1. The Mayor, or his authorized designee, is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor or his authorized designee, in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
2. The Township Clerk is hereby authorized to forward the original and certified copies of both the Agreement and Resolution to NJDOT.
3. This Resolution shall take effect immediately.

RESOLUTION R.410-082019

EXPLANATION: This Resolution increases the amount for professional fees to be paid to Radiant Resources, Inc. for its professional services related HR/Payroll Service Integration for the Township.

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on September 6, 2018 for RFP 18-07R-HR/Payroll Service Integration for a bid opening date of September 18, 2018 and two (2) proposals were received; and

WHEREAS, after review and evaluation of said proposals, it was recommended by the Evaluation Committee that the contract be awarded to Radiant Resources, Inc. ("Radiant"), 1913 Atlantic Ave., Manasquan, NJ 08736; and

WHEREAS, pursuant to Resolution R.558-102018, the Municipal Council authorized such contract for an amount not to exceed \$30,000.00; and

WHEREAS, pursuant to Resolution R.062-012019, the Municipal Council authorized an increase in such contract by an amount not to exceed \$35,000.00, as more time was required to complete performance of the services under the contract; and

WHEREAS, pursuant to the request of the Township's Chief Financial Officer, full implementation of the payroll system is expected to take place on January 1, 2020, which will require additional support from Radiant and an additional increase in the contract amount; and

WHEREAS, the Municipal Council finds that the services provided under the contract are important to the Township, and the costs associated with the increased contract amount have been certified to be available in the Finance Department Professional Services Account; and

WHEREAS, the Municipal Council desires to increase the amount available for these services by an additional amount not to exceed \$19,000.00, and authorizes the payment to Radiant for such services under the contract.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The budgeted amount to be paid Radiant for its HR/Payroll Integration services pursuant to the terms of the contract is hereby increased by an amount not to exceed \$19,000.00. The Chief Financial Officer or his designee is hereby authorized to make payments to Radiant under the contract up to said amount.
3. The Mayor is hereby authorized to execute any amendments to the contract to memorialize the increase of the budgeted amount, as may be required, in a form acceptable to the Township Attorney.
4. A certificate showing the availability of funds for the Contract has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts.
5. A copy of this Resolution and the Contract, and any amendments thereto, shall be available for public inspection at the offices of the Township Clerk.
6. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2019 calendar year, funds in the amount of an additional \$19,000.00 are available in Account No_____ for HR/Payroll Integration Services.

Nick Fargo
Chief Financial Officer

RESOLUTION R.411-082019

EXPLANATION: This resolution provides for the refund of the unused portion of Developer's Escrow Fees posted by Spectrum LLC for its Planning Board application

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees were posted on January 31st, 2017, by Spectrum LLC (the "Applicant") for a project located at 1963 Oak Tree Road, Edison, N.J. 08820 in Block 561, Lot 5-7 and Application # Z2-2017, pursuant to Township Ordinance; and

WHEREAS, the Applicant has requested the return of the unused portion of Developer's Escrow Fees, as provided by law; and

WHEREAS, it is now in order that the sum of \$3,390.00, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to the Applicant.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$3,390.00 plus accrued interest, if applicable, be refunded to John Pulomena, Spectrum LLC, 5 Holly Park Drive, South Plainfield, N.J 07078

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$3,390.00 plus accrued interest, if applicable, in account #DE17013SP to the applicant.

RESOLUTION R.412-082019

EXPLANATION: This Resolution authorizes the execution of a funding agreement with 1058 King George's Post Road Urban Renewal LLC and 1105 King George's Post Road Urban Renewal LLC in furtherance of redevelopment efforts pursuant to the Woodbridge Avenue Redevelopment Plan.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended from time to time (the "**Redevelopment Law**"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, the Municipal Council of the Township (the "**Municipal Council**"), pursuant to *N.J.S.A. 40A:12A-6*, authorized the Planning Board of the Township (the "**Planning Board**") to determine whether the property identified as Block 755.B, Lot 38 and Block 390.A, Lot 1.A4 on the official tax map of the Township, in the area of 844-1075 King George's Post Road ("**Study Area**") and as further described in the legal description attached hereto as *Exhibit A*, met the statutory criteria for designation as an "area in need of redevelopment" pursuant to the Redevelopment Law; and

WHEREAS, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A. 40A:12A-6*, and recommended to the Municipal Council that the Study Area satisfied certain statutory criteria and thus constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, on October 28, 2015, the Municipal Council adopted a resolution which designated the Study Area as an "area in need of development" pursuant to the Redevelopment Law (the "**Redevelopment Area**"); and

WHEREAS, on July 24, 2019, the Municipal Council adopted Ordinance O. 2046-2019 by which it accepted the recommendation of the Planning Board and adopted, in accordance with the Redevelopment Law, a redevelopment plan entitled the "Woodbridge Avenue Redevelopment Plan" prepared by Bignell Planning Consultants (the "**Redevelopment Plan**") for the Redevelopment Area; and

WHEREAS, 1085 King George's Post Road Urban Renewal LLC and 1105 King George's Post Road LLC (collectively, the "**Entity**") seeks to redevelop the Property; and

WHEREAS, the Township and the Entity have negotiated the terms of a Funding Agreement, attached hereto as Exhibit A (the "**Agreement**"), to provide for the funding of certain Township professionals fees related to the redevelopment activities regarding the Property; and

WHEREAS, the Municipal Council desires to memorialize its acceptance of the terms of the Agreement, and its authorization for the appropriate Township representative to execute same.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The recitals are hereby incorporated as if restated herein in full.
2. The Agreement is hereby approved and accepted, subject to such additions, deletions, modifications or amendments deemed necessary in consultation with counsel that do not substantially alter the rights and responsibilities of the parties, and to take all other necessary and appropriate action to effectuate the Agreement.

3. The Mayor or the Mayor's designee, as appropriate, is authorized and directed to execute the Agreement consistent with the terms set forth therein.

4. This Resolution shall take effect immediately.

RESOLUTION R.413-082019

EXPLANATION: A Resolution authorizing an agreement with Edmunds & Associates, Inc. for the purpose of data migration related to certain water utility accounts.

WHEREAS, the Township of Edison (“**Township**”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township desires to avail itself of services related to data migration for the purpose of integrating approximately 12,000 water utility accounts into the Township’s existing utility database; and

WHEREAS, Edmunds & Associates, Inc. (“**Edmunds**”) prepared a proposal for services, with regard to such data migration services for the Township; and

WHEREAS, Edmunds has a proven track records for providing such services; and

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, authorizes the award of contracts for “Professional Services” without competitive bids; and

WHEREAS, the Township desires to retain Edmunds at a cost of Sixty-Four Thousand Five-Hundred Dollars (\$64,500.00), for one (1) year from the date of execution of a contract, to undertake data migration and associated services for the Township, whereby either party may terminate the contract on fourteen (14) days’ written notice.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Township desires to retain Edmunds at a cost of Sixty-Four Thousand Five-Hundred Dollars (\$64,500.00), consistent with the Services Proposal attached hereto as Exhibit A.

Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute the contract with Edmunds for its data migration and related services.

Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.

Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to Edmunds.

Section 6. This Resolution shall take effect immediately.

RESOLUTION R.414-082019

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 203-A, Lots 1-9 and Block 206, Lots 1-A, and 2 through 15 (in the area bounded by Patrick Street and Route 287) satisfies the criteria to be designated ‘an area in need of redevelopment’ pursuant to Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

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

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the municipal council (“**Municipal Council**”) of the Township of Edison (the “**Township**”) must authorize the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

WHEREAS, the Municipal Council hereby requests that an investigation occur with respect to the property commonly known as Block 203-A, Lots 1-9 and Block 206, Lots 1-A and 2-15 (in the area bounded by Patrick Street and Route 287) on the tax map of the Township (hereinafter the “**Study Area**”) (and more specifically described on the map attached hereto as Exhibit A), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

WHEREAS, the redevelopment area determination requested hereunder authorizes the Township and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain (hereinafter referred to as a “**Non-Condemnation Redevelopment Area**”).

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A. 40A:12A-5* to be designated as an area in need of redevelopment.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcel contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condemnation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make

a recommendation to the Municipal Council as to whether the Municipal Council should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.415-082019

**RESOLUTION AWARDING NON FAIR AND OPEN CONTRACT TO PS&S FOR THE EDISON
TOWNSHIP DEPARTMENT OF PUBLIC WORKS FACILITY MASTER PLAN**

WHEREAS; Edison Township is in need of an architecture firm to evaluate the New Durham Road Municipal Garage and Yard to determine the best and most cost-effective use of the property and develop an operative Department of Public Works facility; and

WHEREAS; PS&S, 67A Mountain Blvd Ext, PO Box 4039, Warren, NJ 07059, has submitted a proposal to provide said services for a price not to exceed \$39,900.00; and

WHEREAS, funds in the amount of \$39,900.00 have been certified to be available in the Section 20 Costs Account, No. C-04-15-1914-490-000; and

WHEREAS, this shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. Seq.; and

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition could exceed \$17,500.00; and

WHEREAS, prior to entering into a contract PS&S, will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit PS&S from making any reportable contributions through the term of the contract; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$39,900.00, and any other documents with PS&S, 67A Mountain Blvd Ext, PO Box 4039, Warren, NJ 07059 in accordance with the proposal.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$39,900.00** are available for the above contract in Account No. **C-04-15-1914-490-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.416-082019

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO PANRAMA TOURS, INC. FOR
THE FURNISHING OF BUS SERVICES**

WHEREAS, bids were received by the Township of Edison on June 12, 2019 for Public Bid No. 19-08-01 Bus Services; and

WHEREAS, PANORAMA TOURS, INC., 480 Main Ave., Suite 8, Wallington, NJ 07057, submitted the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$5,500.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by PANORAMA TOURS, INC., 480 Main Ave., Suite 8, Wallington, NJ 07057 for Bus Services for the Township of Edison, is determined to be the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$5,500.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with PANORAMA TOURS, INC.

RESOLUTION R.417-082019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO VILLANI BUS CO. FOR THE FURNISHING OF BUS SERVICES

WHEREAS, bids were received by the Township of Edison on June 12, 2019 for Public Bid No. 19-08-01 Bus Services; and

WHEREAS, VILLANI BUS CO., 811 E. Linden Ave., Linden, NJ 07036, submitted the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$4,600.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by VILLANI BUS CO., 811 E. Linden Ave., Linden, NJ 07036 for Bus Services for the Township of Edison, is determined to be the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$4,600.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with VILLANI BUS CO.

RESOLUTION R.418-082019

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO SUBURBAN TRAILS INC. FOR
THE FURNISHING OF BUS SERVICES**

WHEREAS, bids were received by the Township of Edison on June 12, 2019 for Public Bid No. 19-08-01 Bus Services; and

WHEREAS, SUBURBAN TRAILS, INC., 750 Somerset St., New Brunswick, NJ 08901, submitted the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$33,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by SUBURBAN TRAILS, INC., 750 Somerset St., New Brunswick, NJ 08901 for Bus Services for the Township of Edison, is determined to be the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$33,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with SUBURBAN TRAILS, INC.

RESOLUTION R.419-082019

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO GEORGE DAPPER INC. FOR
THE FURNISHING OF BUS SERVICES**

WHEREAS, bids were received by the Township of Edison on June 12, 2019 for Public Bid No. 19-08-01 Bus Services; and

WHEREAS, GEORGE DAPPER INC., 1020 Green St., Iselin, NJ 08830, submitted the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$12,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by GEORGE DAPPER INC., 1020 Green St., Iselin, NJ 08830 for Bus Services for the Township of Edison, is determined to be the lowest legally responsible bid for various bus trips as listed on the summary spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$12,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with GEORGE DAPPER INC.

RESOLUTION R.420-082019

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CVR COMPUTER SUPPLIES
FOR THE FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT**

WHEREAS, bids were received by the Township of Edison on May 7, 2019 for Public Bid No. 19-02-03-Supplies for Office Equipment; and

WHEREAS, CVR COMPUTER SUPPLIES, 1606 S. Bowling Green Dr., Cherry Hill, NJ 08003 submitted the lowest legally responsible bid for various items of the bid for non-oem supplies as listed on the spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$20,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheets.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by CVR COMPUTER SUPPLIES, 1606 S. Bowling Green Dr., Cherry Hill, NJ 08003 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with CVR COMPUTER SUPPLIES.

RESOLUTION R.421-082019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO THE TREE HOUSE, INC. FOR THE FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT

WHEREAS, bids were received by the Township of Edison on May 7, 2019 for Public Bid No. 19-02-03-Supplies for Office Equipment; and

WHEREAS, THE TREE HOUSE, INC., P.O. Box 413, Norwood, MA 02062 submitted the lowest legally responsible bid for various items of the bid for non-oem supplies as listed on the spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$25,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheets.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by THE TREE HOUSE, INC., P.O. Box 413, Norwood, MA 02062 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$25,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with THE TREE HOUSE, INC.

RESOLUTION R.422-082019

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO W. B. MASON CO., INC. FOR
THE FURNISHING OF SUPPLIES FOR OFFICE EQUIPMENT**

WHEREAS, bids were received by the Township of Edison on May 7, 2019 for Public Bid No. 19-02-03-Supplies for Office Equipment; and

WHEREAS, W. B. MASON CO. INC., 21 Commerce St., Cranbury, NJ 08512 submitted the lowest legally responsible bid for various items of the bid for non-oem supplies as listed on the spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$12,000.00, cannot be encumbered at this time; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheets.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. All bids have been reviewed, and the bid submitted by W. B. MASON CO., INC., 21 Commerce St., Cranbury, NJ 08512 for Supplies for Office Equipment is determined to be the lowest legally responsible bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$12,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with W. B. MASON CO., INC.

RESOLUTION R.423-082019

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO MOTOROLA SOLUTIONS, INC.
FOR THE MAINTENANCE, REPAIR AND PURCHASE OF RADIO COMMUNICATION EQUIPMENT
AND SERVICES**

WHEREAS, there is a need for all Township of Edison Departments to maintain, purchase and repair radio communication equipment and services for the period of August 1, 2019 through July 31, 2020; and

WHEREAS, MOTOROLA SOLUTIONS, INC., P.O. Box 305, Bordentown, NJ 08505 has been awarded State Contract Number 83909 under T-0109/Radio Communication Equipment and Services; and

WHEREAS, the maintenance portion of the contract covers parts and labor. This portion of the contract is \$234,838.08; and

WHEREAS, the repairs/purchase portion of the contract covers time and materials repairs to the portable and vehicle radios that is not covered by the maintenance agreement as well any new purchases if necessary. This expense will be capped at an not to exceed amount of \$175,000.00; and

WHEREAS, in accordance with the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, public bidding is not required when the purchase is under a state contract; and

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$409,838.08 and any other necessary documents, with MOTOROLA SOLUTIONS, INC., P.O. Box 305, Bordentown, NJ 08505 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 83909/T-0109.

RESOLUTION R.424-082019

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO NEW VENTURE CONSTRUCTION FOR HOME IMPROVEMENTS AS PART OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, The Community Development Block Grant (CDBG) funds are used to facilitate various projects throughout the community as outlined in the Program Year 2015 Consolidated Annual Action Plan; and

WHEREAS, part of the funding is for improvements to qualified single family, owner occupied dwellings located in Edison; and

WHEREAS, quotes were solicited by the Township of Edison for Case Number 0119; and

WHEREAS, NEW VENTURE CONSTRUCTION, 716 Old Post Road, Edison, NJ 08817, submitted the lowest quote in the amount of \$18,780.00 and funds in the amount of \$18,780.00 have been certified to be available in the CDBG Housing Rehabilitation Account Number T-14-15-0510-000-001; and

WHEREAS, for the year 2018, the Township expended \$15,930.00 with NEW VENTURE CONSTRUCTION, and the current contract in the amount of \$18,780.00 will make a combined total amount of \$34,710.00 in a twelve month period; and

WHEREAS, this amount exceeds \$17,500.00 and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, this Contract is not awarded through a “fair and open process” pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

WHEREAS, prior to contract/Purchase order, NEW VENTURE CONSTRUCTION will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit NEW VENTURE CONSTRUCTION from making any reportable contributions through the term of the contract; and

WHEREAS, the Township Council accepts Edison Township’s recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. Quotes have been reviewed and the quote in the amount of \$18,780.00 by NEW VENTURE CONSTRUCTION, 716 Old Post Road, Edison, NJ 08817 for home improvements (Case #0119) has been reviewed and is determined to be the lowest quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$18,780.00 and any other necessary documents, with NEW VENTURE CONSTRUCTION.
3. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq. as described herein.
4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$18,780.00** are available for the above contract in Account No. **T-14-15-0510-000-001**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.425-082019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON AMENDING THE FISCAL YEAR 2018 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

EXPLANATION: With this resolution, the Township Council amends Resolution R.319-062018 of the FY2018 Community Development Block Grant to include the transfer of funds from FY2016 and FY2017 Infrastructure Projects in the amount of \$313,677.23 to FY2018 Infrastructure Projects and Kiddie Keep Well Camp Building Improvements and increases the FY2018 grant in the amount of \$853,245.23 and approves the projects and activities funded by the additional amount under this grant year.

WHEREAS, under Title I of the Housing and Community Development Act of 1974, as amended, the Secretary of Housing and Urban Development is authorized to extend financial assistance to communities for the elimination or prevention of slums or urban blight, or activities which benefit low and moderate income families, or other urgent community needs; and

WHEREAS, the U.S. Department of Housing and Urban Development allows the transfer of funds from fiscal year to fiscal year and eligible activity to eligible activity when balances remain unspent or activities are cancelled; and

WHEREAS, CDBG funds are being transferred from FY2016 and FY2017 to Infrastructure activities to be carried out under the FY2018 budgeted year; and

WHEREAS, an amendment to Resolution R.319-062018 is necessary to reflect the transfer of these funds into the 2018 Fiscal Year; and

WHEREAS, the Township's original budgeted total of \$539,568 for the 2018 fiscal year will be amended to allow for the increase of funding in the amount of \$853,245.23 as reflected on the FY2018 Summary of the Annual Action Plan Allocations that are attached; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF EDISON THAT:

Section 1. The Amended Resolution for the Consolidated Annual Action Plan for Fiscal Year 2018 Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

Section 2. It is cognizant of the conditions that are imposed in the undertaking and carrying out of community development activities with federal financial assistance under Title I, including those relating to (a) the relocation of site occupants; (b) the prohibition of discrimination because of race, color, creed, national origin, or handicap and other assurances set forth under certifications.

Section 3. The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an amended Annual Plan for the 2018 Fiscal Year increasing the funding to \$853,245.23, which the U.S. Department of Housing and Urban Development has indicated its willingness to make available to carry out the Community Development Program's activities that are attached as the Proposed Summary of FY18 Annual Action Plan Allocations and listed in the 2018 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

Section 4. The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to provide such assurances and/or certifications as are required by the Housing and Community Development Act of 1974, as amended, and also any supplemental or revised data which HUD may request in connection with the review of this application.

Section 5. An original certified copy of this amended resolution shall be forwarded to the CDBG Coordinator.

RESOLUTION R.426-082019

WHEREAS, the Township Planning Board Secretary advises that the Developer Escrow Fees posted by Edison 8, LLC for a project located at 1745 Lincoln Highway, Edison ,NJ in block 96 , Lot 45 & 46 and application Z61-2018; and

WHEREAS, the application was required to Post developers escrow fees, pursuant to Township Ordinance: and

WHEREAS, on March 24, 2019 a mistake was made the payment was suppose to go to Municipal Court for fees for Edison 8 and Edison 1 but was posted to the Escrow Account deposit with the Township of Edison in the Account DE181029ED, 68392140 for Developers Escrow fees: and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum of \$4,165.00 plus accrued interest, if applicable be refunded to Edison 8 LLC.PO Box 326, Plainfield, NJ 07061;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$4,165.00,plus accrued interest, if applicable from the Refund of Revenue Fund to the Edison 8 LLC. PO Box 326, Plainfield, NJ 07061-0326.

RESOLUTION R.427-082019

EXPLANATION: This resolution provides for refund of the construction permit fee, less the DCA fee, posted for a construction permit for Beginnings Church of the Nazarene under Resolution R.336-062019

WHEREAS, on June 17, 2019, a Construction Permit fee, check #2759, permit #2019-2064, was posted in the total amount of \$76.00 by Joann E. Speer, having an address at 86 Pheasant Run. Edison, NJ, 08820; and

WHEREAS, the application was submitted for 3 receptacles at Church of Nazarene located at 80 Jefferson Blvd. Edison, NJ 08817, by the hired contractor, VJR Electric Contractor. Church of Nazarene apply and received a resolution for waived fees under Resolution #336-062019;

WHEREAS, the church of the Nazarene requested and was granted a waiver of any all permit fees Under Resolution R.336-062019. The municipal permit fee in the amount of \$75.00, derived from the \$76.00 total construction permit fee less the \$1.00 DCA fee, be refunded to Joann E Speer who paid for the permit.

WHEREAS, the Township building code official recommends the refund of the municipal permit fee, on Construction Permit #2019-2064, in the amount of \$75.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$75.00 on construction permit fees posted by Joann E. Speer, at 86 Pheasant Run, Edison, NJ 08820;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$75.00 from the Refund of Revenue Fund to Joann E. Speer, at 86 Pheasant Run, Edison, NJ 08820;

RESOLUTION R.428-082019

WHEREAS, the Edison Township Environmental Commission (ETEC) plans to develop and submit an application to the *2019-2020 Rutgers University NJDEP Green Infrastructure 319H Program* for grant funds to help support the development of the *ETEC Dudash Park Middlesex Greenway Access Enhancement Project* as an eligible green infrastructure activity; and

WHEREAS, the *2019-2020 Rutgers University NJDEP Green Infrastructure 319H Program* grant awards will support the costs of approved eligible projects for an approximate, maximum amount of \$100,000.00; and

WHEREAS, the *2019-2020 Rutgers University NJDEP Green Infrastructure 319H Program* does not require a mandatory cash match of the awardee; and

WHEREAS, ETEC had previously obtained funding commitments from the Middlesex County Open Space Trust Fund, Investors Foundation and Edison Greenway Group to help support part of the development of the *ETEC Dudash Park Middlesex Greenway Access Enhancement Project*; and

WHEREAS, the Edison Township Environmental Commission shall utilize all grant funds awarded to it by the *2019-2020 Rutgers University NJDEP Green Infrastructure 319H Program* in support of the *ETEC Dudash Park Middlesex Greenway Access Enhancement Project* as described in its application for said funds and in compliance with all pertinent Municipal, Middlesex County, New Jersey and United States Federal agency requirements, guidelines, regulations and statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, State of New Jersey, does hereby approve and authorize the development and submission of said *2019-2020 Rutgers University NJDEP Green Infrastructure 319H Program grant application* by ETEC for the *ETEC Dudash Park Middlesex Greenway Access Enhancement Project* at a regularly-scheduled, public meeting on the evening of Wednesday, August 28, 2019.

RESOLUTION R.429-082019

EXPLANATION: Resolution Refunding Cash Performance to Glendale Properties LLC.. Application # P27-02/03 in Account # 7760013259

WHEREAS, the Township Engineer advises that an inspection has been made of Glendale Properties LLC. Application #**P 27-02/03** - 75 Glendale Avenue Block:340 Lot: 1.F,1J and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance posted on in the amount of **\$33,216.78** plus accrued interest, if applicable on deposit in account # **7760013259** with the Township of Edison, principal being Glendale Properties LLC., having offices at 75-77 Grove Street , Paterson, NJ 07503 and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to return the aforesaid Cash Performance in the amount of **\$33,216.78** plus accrued interest, if applicable, on deposit in account # **7760013259** to the applicant, Glendale Properties LLC.
75-77 Grove Street ,Patterson , NJ07503 .

RESOLUTION R.430-082019

WHEREAS, the Township Engineer advises that an inspection has been made of Beechwood at Edison LLC. ,2650 Woodbridge Avenue located in Block #396 Lot #5 &7 and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Division of Engineering Services recommends the release of the **Performance Bond #EACX107000007** of Endurance Assurance Corporation in the amount of **\$34,449.84**, principal being JSM @ Beechwood at Edison ,LLC., LLC, having offices at 1260 Stelton Road, Piscataway, 08854 and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk is hereby authorized to release the aforesaid Performance Bond;

RESOLUTION R.431-082019

WHEREAS, the Township Engineer advises that an inspection has been made of Wardlaw Hartridge School 1295 Inman Avenue, located in Block #415 Lot #9E-3, 9J-1, 9K, 10A, Application # P2-2016 and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Division of Engineering Services recommends the release of the **Performance Surety No. 14129758** of the Guarantee dated March 26,2016 in the amount of **\$ 327,834.00**, principal being Wardlaw Hartridge School having offices at 1295 Inman Avenue, Edison, New Jersey 08820 and acceptance of the subject improvements; and

WHEREAS, a Performance Surety Guarantee in the amount of **\$327,834.00** is being held by the Township of Edison; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk is hereby authorized to release the aforesaid Performance Bond; and

WHEREAS, a Cash Performance check was posted on July 8, 2016 by Check #9428608348 in the amount of **\$ 36,426.00**, on deposit in account # **CP160707TH**.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$36,426.00** plus accrued interest, if applicable, on deposit in account #**CP160707TH** to the applicant and the Surety Bond # **14129758** in the amount of **\$327,834.00** of The Guarantee Company of North America to The Warlaw- Hartridge School,1295 Inman Avenue, Edison,NJ,08820

RESOLUTION R.432-082019

RESOLUTION AUTHORIZING CHANGE ORDER # 1 FOR CONTRACT NO. 19-01-15 WITH WHIRL CORPORATION, INC. TO RECTIFY A DRAINAGE ISSUE AT CAPESTRO PARK

WHEREAS, Resolution R.076-022019 dated February 13, 2019 authorized a contract with WHIRL CORPORATION, INC., PO Box 110, 194 Main St., Port Monmouth, NJ 07758 for Playground Equipment Installation at various locations; and

WHEREAS, Change order No 1 is needed to address unforeseen conditions that are found to be necessary to rectify a drainage issue at Capestro Park that was not initially anticipated at the time of contract award in the amount of \$11,975.00; and

WHEREAS, the changes will not alter the contract in such a manner as to nullify the effect of the competitive determination of lowest responsible bidder which was made at the time of the contract award; and

WHEREAS, funds in the amount of \$11,975.00 have been certified to be available in the Various Twp Building and Parks Improvements Account, No C-04-15-1914-100-000; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, that Change Order #1 to the contract with WHIRL CORPORATION, INC., PO Box 110, 194 Main St., Port Monmouth, NJ 07758 is hereby authorized in the amount of \$11,975.00 for a total amended contract amount of \$545,934.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$11,975.00** are available for the above in Account No. **C-04-15-1914-100-000** for a revised construction contract amount of **\$545,934.00**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.433-082019

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE TWO (2) TORO
GROUNDMASTER 4000-D ROTARY MOWERS FROM STORR TRACTOR COMPANY THROUGH
THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE
PRICING SYSTEM**

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a cooperative pricing system and to enter into cooperative pricing agreements for its administration; and

WHEREAS, the Educational Services Commission of New Jersey hereinafter referred to as the "Lead Agency" has offered voluntary participation in a cooperative pricing system for the purchase of goods and services; and

WHEREAS, STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876 has been awarded ESCNJ 18/19-25 GROUNDS EQUIPMENT under NJ State approved coop #65MCESCCPS; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with the STORR TRACTOR COMPANY for the purchase of two (2) Groundmaster 4000-D Rotary Mowers; and

WHEREAS, the total amount of this contract shall not to exceed \$133,692.80 (\$66,846.40 each); and

WHEREAS, funds in the amount of \$133,692.80 have been certified to be available in the Acquisition of Public Works Equipment account, number C-04-15-1914-310-000; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$133,692.80, and any other necessary documents, with STORR TRACTOR COMPANY, 3191 Route 22, Somerville, NJ 08876, the approved Educational Services Commission of New Jersey vendor through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$133,692.80** are available for the above in Account No. **C-04-15-1914-310-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.434-082019

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO
RARITAN GOUP, INC. FOR THE PURCHASE OF THREE CHECK VALVES WITH ACCESSORIES
FOR THE PROGRESS STREET PUMPING STATION**

WHEREAS, quotes were solicited by the Township of Edison for the purchase of three check valves with accessories for the Progress Street Pumping Station; and

WHEREAS, RARITAN GROUP, INC., 301 Meadow Road, Edison, NJ 08817, submitted the lowest quote in the amount of \$19,327.35; and

WHEREAS, this amount exceeds \$17,500.00 and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, prior to entering into a PO/contract, Raritan Group, Inc., will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit Raritan Group, Inc., from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$19,327.35 have been certified to be available in the Sewer Materials and Supplies Account, No. 9-07-55-0501-000-030; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor or his designee is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, with RARITAN GROUP, INC., 301 Meadow Road, Edison, NJ 08817, in the amount not to exceed \$19,327.35 for various sewer equipment and materials as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-2 et seq and 19:44A-20.5 et. seq. and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$19,327.35** have been certified to be available in Account No. **9-07-55-0501-000-030**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.435-082019

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT/PURCHASE ORDER TO BAYSHORE
FOR THE RECYCLING OF ASPHALT AND/OR CONCRETE**

WHEREAS, the Township of Edison has a need to dispose of and recycle asphalt and/or concrete; and

WHEREAS, although such services are exempt from public bidding pursuant to Local Public Contracts Law N.J.S.A. 40:11-5(s), quotes were solicited and it is in the best interest of the Township to utilize BAYSHORE, 75 Crows Mill Road, PO BOX 290, Keasbey, NJ 08832 price and other factors considered; and

WHEREAS, the total amount of the contract shall not exceed \$15,000.00; and

WHEREAS, prior to contract/Purchase order, BAYSHORE, will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit BAYSHORE, from making any reportable contributions through the term of the contract; and

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time an order is placed and shall not exceed the unit price; and

WHEREAS, no amount shall be chargeable or certified until such time as goods or services are ordered or otherwise called for. Prior to incurring the liability by placing the order, the certification of available funds shall be made by the Chief Financial Officer or Certifying Financial Officer. It shall be the responsibility of the official responsible for issuing the purchase order to notify and seek the certification of availability of funds of the Chief Financial Officer or Certifying Finance Officer, as appropriate (N.J.A.C. 5:30-5.5(b)); and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order for \$15,000.00 with BAYSHORE, 75 Crows Mill Road, PO BOX 290, Keasbey, NJ 08832 for the recycling of asphalt and/or concrete as described herein.
2. This contract is awarded pursuant to N.J.S.A. 40:11-5(s).

RESOLUTION R.436-082019

**RESOLUTION AWARDING AN EMERGENCY CONTRACT/PO TO A.M.E., INC FOR A NEW SANYO
SPLIT AIR CONDITIONING SYSTEM FOR THE WATCH COMMANDERS AREA**

WHEREAS, an emergency condition existed in which the watch commanders area needed a new air conditioning unit; and

WHEREAS, A.M.E., INC., 1275 Bloomfield Ave., Bldg.#2, Fairfield, NJ 07004, our current HVAC Maintenance and Repair contractor, quoted a price not to exceed \$6,907.81 for this replacement; and

WHEREAS, pursuant to Local Public Contract Law N.J.S.A. 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be provided when an emergency affects the public health, safety or welfare; and

WHEREAS, funds in the amount of \$6,907.81 have been certified to be available in the Various Township Building and Park Improvement Account, Number C-04-15-1914-100-00; and

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, as follows:

1. The Mayor, or his designee, is hereby authorized to execute a contract/PO in the amount not to exceed \$6,907.81, and any other necessary documents, with A.M.E., INC., 1275 Bloomfield Ave., Bldg. #2, Fairfield, NJ 07004.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$6,907.81** are available for the above contract in Account **No. C-04-15-1914-100-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.437-082019

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000355, to the following:

Permit Number: DEV-0098

Opening Location: 82 SILVER LAKE AVE

Block/Lot: 337.E/18.H

Applicant's Name & Address:

**JAYDEEP J PANDYA
82 SILVER LAKE AVE
EDISON, NJ 08817**

Initial Deposit Date: 05/24/2019

Deposit Amount: \$680.00

Paid by & refunded to:

**JAYDEEP J PANDYA
82 SILVER LAKE AVE
EDISON, NJ 08817**

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.438-082019

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000357, to the following:

Permit Number: DEV-0103

Opening Location: 7 FERRIS RD

Block/Lot: 1156/7

Applicant's Name & Address:

**KATHRYN MARTINAK
7 FERRIS RD
EDISON, NJ 08817**

Initial Deposit Date: 06/04/2019

Deposit Amount: \$360.00

Paid by & refunded to:

**KATHRYN MARTINAK
7 FERRIS RD
EDISON, NJ 08817**

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.439-082019

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000359, to the following:

Permit Number: DEV-0107

Opening Location: 15 PRICE DR

Block/Lot: 97.C/36

Applicant's Name & Address:

**MARCO LARREA
15 PRICE DR
EDISON, NJ - 08817**

Initial Deposit Date: 06/07/2019

Deposit Amount: \$1400.00

Paid by & refunded to:

**MARCO LARREA
15 PRICE DR
EDISON, NJ - 08817**

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.440-082019

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000362, to the following:

Permit Number: DEV-0106

Opening Location: 116 STEPHENVILLE PKWY

Block/Lot: 557.W/11

Applicant's Name & Address:

**J V PAVING LLC
P.O.BOX 505
ROOSEVELT, NJ 08555**

Initial Deposit Date: 06/12/2019

Deposit Amount: \$1400.00

Paid by & refunded to:

**J V PAVING LLC
P.O.BOX 505
ROOSEVELT, NJ 08555**

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.441-082019

DRUNK DRIVING ENFORCEMENT FUND (DDEF)

2019

Grant Application

WHEREAS, the Division of Police will apply for grant funding in the amount of \$7189.47 to provide additional manpower hours to enforce DWI Laws as well as an additional \$7189.47 to be used to purchase new breath testing equipment, total allocation requested is \$14,378.94; and

WHEREAS, an enforcement crackdown will be planned to combat violations related to DWI Laws to reduce the number of fatalities related to impaired drivers; and

WHEREAS, the State of New Jersey, Department of Law and Public Safety -Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the grant; and

WHEREAS; an increase in enforcement will save lives on our roadways;

THEREFORE, be it resolved that the Edison Township Council on behalf of the Division of Police wishes to apply for funds through the Drunk Driving Enforcement Fund 2019 and pledges to increase awareness of DWI Laws.

BE IT FURTHER RESOLVED, that the Business Administrator or designee be and is hereby authorized to sign the aforesaid grant application for and on behalf of the Township of Edison.

RESOLUTION R.442-082019

Explanation: The Body Armor Replacement Fund is funded through a \$1 surcharge to each fine, penalty or forfeiture imposed and collected by a judge under authority of any law for any violation of the provisions of Title 39 of the Revised Statutes. Moneys collected and deposited in the Fund are used in making grants to local and state law enforcement agencies for the purchase of body vests.

**RESOLUTION APPROVING PARTICIPATION IN 2019 NJ STATE BODY ARMOR REPLACEMENT
GRANT FUNDING PROGRAM**

WHEREAS, the New Jersey Division of Criminal Justice, State Body Armor Replacement Fund initiative is designed to provide valuable lifesaving equipment to local law enforcement officers; and

WHEREAS, this grant funding enables local law enforcement agencies to cover up to fifty (50) percent of the cost of each vest purchased or replaced for sworn officers of the Edison Police Department; and

WHEREAS, this vest replacement grant program demonstrates the Edison Police Department's commitment to helping ensure that law enforcement officers have protective equipment they can rely on to keep our community safe;

THEREFORE, BE IT RESOLVED that the Township of Edison wishes to participate to the fullest extent in the New Jersey Division of Criminal Justice,

RESOLUTION R.443-082019

**DRIVE SOBER OR GET PULLED OVER
2019
Labor Day Crackdown
Grant Approval**

WHEREAS, the Division of Police has been awarded grant funding in the amount of \$5,500.00 to provide additional manpower hours to enforce DWI Laws; and

WHEREAS, in 2018, nationwide, fatalities from traffic accidents remained above 40,000, many of which related to alcohol consumption; and

WHEREAS, an enforcement crackdown is planned to combat violations related to DWI Laws to reduce the number of fatalities related to impaired drivers; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the grant; and

WHEREAS; the project will involve increased enforcement from August 16 through September 2, 2019; and

WHEREAS; an increase in enforcement will save lives on our roadways;

THEREFORE, be it resolved that the Edison Township Council on behalf of the Division of Police wishes to approve the grant, Drive Sober or Get Pulled Over 2019 Labor Day Crackdown between August 16, 2019 – September 2, 2019 and pledges to increase awareness of DWI Laws.

BE IT FURTHER RESOLVED, that the Business Administrator or designee be and is hereby authorized to sign the aforesaid grant approval for and on behalf of the Township of Edison.

RESOLUTION R.444-082019

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
MOHIT JAIN FOR THE ABC PROGRAM**

WHEREAS Mohit Jain made payment in the amount of \$320.00 for his child Yash Jain's participation in the ABC Program at James Madison Intermediate School; and

WHEREAS the child was withdrawn from the program prior to attending; and

WHEREAS payment was already made.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$320.00 to Mohit Jain, 578 Darwin Blvd., Edison, NJ, 08820 which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$320.00 are available in Account #9-01-55-0291-000-000.

RESOLUTION R.445-082019

WHEREAS, on, June 12, 2019 the Municipal Council adopted Resolution R.301-062019 which granted a Renewal of Plenary Retail Consumption Liquor License to Gabriel Roman License 1205-33-008-008.

WHEREAS, the Municipal Council desires to rescind the License 1205-33-008-008 from Resolution R.301-062019 due to failure to timely renewal pursuant to N.J.S.A. 33:1-12:39 for 2019-2020 License term.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that License 1205-33-008-008 from Resolution R.301-062019 which was adopted on June 12, 2019 is hereby rescinded