

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Wednesday, January 22, 2020
6:00 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, the Sentinel and News India Times on December 13, 2019 posted in the Main Lobby of the Municipal Complex on the same date.
4. **RESOLUTIONS TO RECOGNITION:**

 “Together We Can” Food Drive – Resolutions R.035-012020 through R.040-012020.
5. **REVIEW OF MINUTES:**
 - a. Minutes of Re-Organization and Worksession of January 6, 2020.
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution of the Township of Edison authorizing the sale of surplus personal property no longer need for public use to Edison Township Board of Education (Resolution R.046-012020).
 - b. Resolution Awarding Contract/Purchase Order to Edmunds & Associates, Inc. for Renewal of Hardware and Software maintenance for Edmunds system for 2020 (\$56,495.00) (Resolution R.047-012020)
 - c. Resolution authorizing a Professional Services Contract to People for Animals for Veterinary Services/Clinics (not to exceed \$90,000.00) (Resolution R.048-012020)
 - d. Resolution accepting and adopting the Central jersey Municipal Joint Insurance Funds 2020 Safety Incentive Program. (Resolution R.049-012020)
 - e. This Resolution awards a professional services contract to Conventus Labor Consulting, LLC, to implement improvements and continue to train staff in furtherance of the Township’s Human Resource/Labor Relations management functions and processes. (not to exceed \$75,000.00) (Resolution R.054-012020)
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through January 16, 2020 (Resolution R.041-012020)
 - b. Resolution authorizing refund in the amount of \$159,957.34 for redemption of tax sale certificates (Resolution R.042-012020)

- c. Resolution authorizing refund for tax overpayments totaling \$2,400.00 (Resolution R.043-012020)
- d. Resolution authorizing Overpayment Refund caused by Successful Tax Court Appeal (Resolution R.044-012020)
- e. Temporary Budget Appropriations (R.045-012020)

10. **FROM THE DEPARTMENT OF HEALTH:**

- a. Resolution authorizing the development and submission of H-Mart Grant. (Resolution R.053-012020)
- b. Resolution authorizing the development and submission of Investors Foundation Grant (Resolution R.067-012020)

11. **FROM THE DEPARTMENT OF LAW:**

- a. Ordinance adopting the “Patrick Avenue Redevelopment Plan – Block 203, Lot 17, Qualifier C0003 and Block 206, Lots 1A and 2 through 15,” (for such properties in the area of and bounded by Patrick Street and Route 287), pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*(Ordinance O.2063-2020)
- b. Ordinance amending the Township Code Chapter XVI, Fire Protection and Prevention, to provide for various amendments to the Township’s fire prevention code to further ensure compliance with the State of New Jersey’s fire prevention regulations.(Ordinance O.2064-2020)
- c. Resolution designating a redeveloper and authorizing execution of the Redevelopment Agreement with RC Realities North, LLC and S&R 123 So. Main St. Realities, LLC regarding the area in need of redevelopment known on the Township tax maps known as Block 198, Lots 23.E1, 27 and 28 (aka 900, 910, and 920 Route 1) and Block 199, Lots 16-R, 16-S, 16-T, 16-U, 16-V-2, 16-C-1, 16-D, 16-E-1, 16-F-1, 16-G-1, 17-D-1, 17-D-2 and 34 (aka 121 Main Street). (Resolution R.063-012020)
- d. Ordinance establishing the not-to-exceed salaries of Township of Edison Council members. (Ordinance O.2065-2020)
- e. Resolution Authorizing the Mayor to execute a Traffic Signal Agreement among the Township of Edison, BAPS Temple and the County of Middlesex for the installation of a pedestrian hybrid beacon along Woodbridge Avenue in the Township.(Resolution R.064-012020)

12. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**

- a. Resolution authorizing a subsidy grant of \$85,000 from the Township’s Affordable Housing Market To Affordable Program for the purchase of a home from market rate to affordable. (Resolution R.050-012020)
- b. Resolution authorizing a grant of \$15,000 from the Township’s Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the

- purchase of an affordable housing unit by an income certified buyer. (Resolution R.051-012020)
- c. Resolution authorizing a non-refundable grant of \$877.90 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the tax differential of a Fair Market sale unit to an affordable housing unit. (Resolution R.052-012020)
 - d. Resolution refunding Engineering Fees (Resolution R.068-012020)
 - e. Resolution releasing of Performance Surety Bond (Resolution R.069-012020)
 - f. Resolution return of Maintenance Bond (Resolution R.070-012020)
13. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Resolution awarding Contract/Purchase Order to AFA for Fire and Burglar alarm Maintenance and Repair (not to exceed \$33,000.00) (Resolution R.055-012020)
 - b. Resolution awarding Contract for Public Bid No. 20-07-01 Electrical Services (not to exceed \$175,000.00) (Resolution R.056-012020)
 - c. Resolution releasing of Street Opening Escrows (Resolutions R.057-012020 through R.060-012020)
 - d. Resolution releasing Amusement Device Permit Fee (Resolution R.061-012020)
14. **FROM THE CHIEF OF FIRE:**
- a. Approval of Volunteer Fire Fighters
15. **FROM THE CHIEF OF POLICE:**
- a. Resolution of the Mayor and council of the Township of Edison authorizing and approving the Edison Township Police Department's application and participation for enrollment in the Law Enforcement Support Office (LESO) 1033 Program. (Resolution R.062-012020)
16. **FROM THE TOWNSHIP CLERK:**
- a. Resolution re-appointing a Member to the Zoning Board. (Resolution R.065-012020)
 - b. Resolution appointing 1st Alternate to the Zoning Board. (Resolution R.066-012020)
 - c. Ordinance codifies the policy of the Township of Edison regarding Military Leave Law for Township Employees. (O.2066-2020)
17. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**
18. **UNFINISHED BUSINESS:**
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND FINAL ADOPTION:
- O.2062-2020 AN ORDINANCE AUTHORIZING THE ACQUISITION OF EASEMENTS FOR THE BROTHERHOOD STREET IMPROVEMENT PROJECT ON PROPERTIES**

IDENTIFIED ON THE TAX MAPS OF THE TOWNSHIP OF EDISON AS BLOCK 20-A, LOT 4; BLOCK 20-A, LOT 5; BLOCK 20-A, LOT 6; BLOCK 20-A, LOT 57; BLOCK 20-B, LOT 1-A; BLOCK 20-B, LOT 2-A; AND ON THE TAX MAPS OF THE PISCATAWAY TOWNSHIP AS BLOCK 8802, LOT 3.02 BY EXERCISE OF THE POWER OF EMINENT DOMAIN.

19. DISCUSSION ITEMS:

Council President Ship-Freeman

a. None

Councilmember Brescher

a. None

Councilmember Coyle

a. None

Councilmember Diehl

a. None

Councilmember Gomez

a. None

Councilmember Joshi

a. None

Councilmember Patil

a. None

20. APPROVAL OF MINUTES:

a. Minutes of Re-Organization and Worksession of January 6, 2020.

21. APPROVAL OF VOLUNTEER FIRE FIGHTERS:

Raritan Engine Company #1

Gary E. Keefe, Jr.

22. **COUNCIL PRESIDENT'S REMARKS**

23. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**

O.2062-2020 **AN ORDINANCE AUTHORIZING THE ACQUISITION OF
EASEMENTS FOR THE BROTHERHOOD STREET
IMPROVEMENT PROJECT ON PROPERTIES
IDENTIFIED ON THE TAX MAPS OF THE TOWNSHIP OF
EDISON AS BLOCK 20-A, LOT 4; BLOCK 20-A, LOT 5;
BLOCK 20-A, LOT 6; BLOCK 20-A, LOT 57; BLOCK 20-B,
LOT 1-A; BLOCK 20-B, LOT 2-A; AND ON THE TAX
MAPS OF THE PISCATAWAY TOWNSHIP AS BLOCK
8802, LOT 3.02 BY EXERCISE OF THE POWER OF
EMINENT DOMAIN.**

24. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR MONDAY,
FEBRUARY 10, 2020.**

O.2063-2020 **ORDINANCE ADOPTING THE “PATRICK AVENUE
REDEVELOPMENT PLAN – BLOCK 203, LOT 17,
QUALIFIER C0003 AND BLOCK 206, LOTS 1A AND 2
THROUGH 15,” (FOR SUCH PROPERTIES IN THE AREA
OF AND BOUNDED BY PATRICK STREET AND ROUTE
287), PURSUANT TO THE LOCAL REDEVELOPMENT
AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

O.2064-2020 **ORDINANCE AMENDING THE TOWNSHIP CODE
CHAPTER XVI, FIRE PROTECTION AND PREVENTION,
TO PROVIDE FOR VARIOUS AMENDMENTS TO THE
TOWNSHIP’S FIRE PREVENTION CODE TO FURTHER
ENSURE COMPLIANCE WITH THE STATE OF NEW
JERSEY’S FIRE PREVENTION REGULATIONS**

O.2065-2020 **ORDINANCE ESTABLISHING THE NOT-TO-EXCEED
SALARIES OF TOWNSHIP OF EDISON COUNCIL
MEMBERS**

O.2066-2020 **ORDINANCE CODIFIES THE POLICY OF THE
TOWNSHIP OF EDISON REGARDING MILITARY LEAVE
LAW FOR TOWNSHIP EMPLOYEES**

25. **PUBLIC COMMENT ON THE RESOLUTIONS**

26. **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.041-012020 Resolution approving disbursements for the period ending January 16, 2020.

R.042-012020 Resolution authorizing refund in the amount of \$ 159,957.34 for redemption of tax sale certificates.

R.043-012020 Resolution authorizing refund of tax overpayments, totaling \$2,400.00.

R.044-012020 Resolution authorizing Overpayment Refund caused by Successful Tax Court Appeal for 16 Fairfax Road

R.045-012020 Temporary Budget Appropriations

R.046-012020 Resolution authorizing the sale of surplus personal property no longer need for public use to Edison Township Board of Education.

R.047-012020 Resolution Awarding Contract/Purchase Order to Edmunds & Associates, Inc. for Renewal of Hardware and Software maintenance for Edmunds system for 2020 in the amount of \$56,495.00

R.048-012020 Resolution authorizing a Professional Services Contract to People for Animals for Veterinary Services/Clinics in an amount not to exceed \$90,000.00.

R.049-012020 Resolution accepting and adopting the Central Jersey Municipal Joint Insurance Funds 2020 Safety Incentive Program.

R.050-01202 Resolution authorizing a subsidy grant of \$85,000 from the Township's Affordable Housing Market To Affordable Program for the purchase of a home from market rate to affordable.

R.051-012020 Resolution authorizing a grant of \$15,000 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the purchase of an affordable housing unit by an income certified buyer.

R.052-012020 Resolution authorizing a non-refundable grant of \$877.90 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the tax differential of a Fair Market sale unit to an affordable housing unit.

R.053-012020 Resolution authorizing the development and submission of H-Mart Grant.

R.054-012020 This Resolution awards a professional services contract to Conventus Labor Consulting, LLC, to implement improvements and continue to train staff in furtherance of the Township's Human Resource/Labor Relations management functions and processes in an amount not to exceed \$75,000.00.

R.055-012020 Resolution awarding Contract/Purchase Order to AFA for Fire and Burglar alarm Maintenance and Repair in an amount not to exceed \$33,000.00.

- R.056-012020 Resolution awarding Contract for Public Bid No. 20-07-01 Electrical Services to TSUJ Corporation in an amount not to exceed \$175,000.00.
- R.057-012019 Resolution releasing Street Escrow for Permit DEV-0139 for 19 Sycamore Avenue, Blk.106, Lot 69 in the amount of \$2,400.00.
- R.058-012020 Resolution releasing Street Escrow for DEV-0105 for 45 Bartha Avenue, Blk. 905, Lot 16 in the amount of \$900.00.
- R.059-012020 Resolution releasing Street Escrow for DEV-0018 for 65 Union Avenue, Blk. 652, Lot 10 in the amount of \$300.00.
- R.060-012020 Resolution releasing Street Escrow for DEV-0087 for 6 Berrue Ct., Blk. 337.E, Lot 19 in the amount of \$480.00.
- R.061-012020 Resolution releasing Amusement Device Permit Fee for 52 Vineyard Road, Blk.1111, Lot 54 in the amount of \$175.00.
- R.062-012020 Resolution of the Mayor and council of the Township of Edison authorizing and approving the Edison Township Police Department's application and participation for enrollment in the Law Enforcement Support Office (LESO) 1033 Program.
- R.063-012020 Resolution designating a redeveloper and authorizing execution of the Redevelopment Agreement with RC Realities North, LLC and S&R 123 So. Main St. Realities, LLC regarding the area in need of redevelopment known on the Township tax maps known as Block 198, Lots 23.E1, 27 and 28 (aka 900, 910, and 920 Route 1) and Block 199, Lots 16-R, 16-S, 16-T, 16-U, 16-V-2, 16-C-1, 16-D, 16-E-1, 16-F-1, 16-G-1, 17-D-1, 17-D-2 and 34 (aka 121 Main Street).
- R.064-012020 Resolution Authorizing the Mayor to execute a Traffic Signal Agreement among the Township of Edison, BAPS Temple and the County of Middlesex for the installation of a pedestrian hybrid beacon along Woodbridge Avenue in the Township.
- R.065-012020 Resolution re-appointing Philip C. Taglianetti, Sr. as a Member to the Zoning Board, term expiring December 31, 2023.
- R.066-012020 Resolution appointing Biral Patel as 1st Alternate to the Zoning Board, term expiring December 31, 2020.
- R.067-012020 Resolution authorizing the development and submission of Investors Foundation Grant.
- R.068-012020 Resolution provides for refund of Engineering Fees for Permit #2019-026 to Jason Fan for 32 Walnut Street in the amount of \$250.00.
- R.069-012020 Resolution releasing Performance Surety Bond No. 106518210 in the amount of \$33,847.20 for Conti Enterprises for 2045 Lincoln Highway.
- R.070-012020 Resolution releasing of Maintenance Bond for application #Z01-06/07, Blk 22 Lots 5A,6A, 11B-1 and 12A-E, Talmadge Road, in account CP171207WI, in the amount of \$39,609.72.

27. **ORAL PETITIONS AND REMARKS**

28. **ADJOURNMENT**

ORDINANCE O.2062-2020

EXPLANATION: An Ordinance Authorizing the Acquisition of Easements for the Brotherhood Street Improvement Project on Properties Identified on the Tax Maps of the Township of Edison as Block 20-A, Lot 4; Block 20-A, Lot 5; Block 20-A, Lot 6; Block 20-A, Lot 57; Block 20-B, Lot 1-A; Block 20-B, Lot 2-A; and on the Tax Maps of the Piscataway Township as Block 8802, Lot 3.02 by Exercise of the Power of Eminent Domain.

WHEREAS, the Township of Edison (the “Township”) is a municipal corporation of the State of New Jersey authorized under the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.* (“Shared Services Act”) to enter into an agreement with other local units to provide jointly (or through the agency of one of them on behalf of the other) any service which such entity may legally perform for itself; and

WHEREAS, pursuant to Resolution No. 698-122019, the Township entered into a Shared Services Agreement with Piscataway Township (“Piscataway”) for the shared costs associated with certain necessary street reconstruction, curb construction and drainage improvements on or affecting properties that are situated on or adjacent to Brotherhood Street in the Township and Piscataway; and

WHEREAS, pursuant to *N.J.S.A. 40A:12-5(a)(1)* the Township is authorized to acquire any real property, capital improvement, or personal property by purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement; and

WHEREAS, in order to facilitate and carryout the street reconstruction, curb construction and drainage improvements for Brotherhood Street, the Township must acquire permanent and temporary construction easements on and/or along certain properties located in the Township which are identified on the tax maps of the Township or the tax maps of Piscataway as Block 20-A, Lot 4; Block 20-A, Lot 5; Block 20-A, Lot 6; Block 20-A, Lot 57; Block 20-B, Lot 1-A; Block 20-B, Lot 2-A; and Block 8802, Lot 3.02 (collectively, the “Properties”); and

NOW, THEREFORE, BE IT ORDAINED 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 Township is hereby authorized to exercise its power of eminent domain pursuant to *N.J.S.A. 40A:12-5(a)(1)* to acquire the Properties, as listed on Exhibit A (attached hereto), in accordance with the provisions of the Eminent Domain Act of 1971, *N.J.S.A. 20:3-1 et seq.*

Section 3. The Mayor, Business Administrator and Township Attorney are hereby authorized and directed to take, or cause to be taken, any and all actions that are necessary to acquire easements on or along the Properties by negotiated purchases or condemnation proceedings, including but not limited to obtaining any studies, surveys, tests, soundings, borings, appraisals and title searches, as necessary to determine the value, boundary, ownership

and other property interests or environmental condition of the Properties, and to take any action required to obtain fee simple title or a lesser interest of the Properties, as deemed necessary.

Section 4. Any and all prior actions taken by the Township, its officials, employees and agents in furtherance of the acquisition of the Properties are hereby ratified.

Section 5. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section 6. This ordinance shall take effect in accordance with applicable law.

ORDINANCE O.2063-2020

EXPLANATION: An Ordinance adopting the “Patrick Avenue Redevelopment Plan – Block 203, Lot 17, Qualifier C0003 and Block 206, Lots 1A and 2 through 15,” (for such properties in the area of and bounded by Patrick Street and Route 287), 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.* (the “Act”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the “Municipal Council”) of the Township of Edison (the “Township”), by way of Resolution R.408-0820196, authorized and directed the planning board of the Township (the “Planning Board”) to conduct a preliminary investigation of the property identified on the tax maps of the Township as Block 203, Lot 17, Qualifier C0003 and Block 206, Lots 1A and 2 through 15 (in the area of the north side of Patrick Avenue and Route 287) (the “Study Area”), and to determine whether the Study Area meets the criteria as an area in need of rehabilitation, pursuant to Section 14 of the Redevelopment Law, *N.J.S.A. 40A:12A-14a*; and

WHEREAS, on October 15, 2019, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of rehabilitation and recommended that the Municipal Council designate the Study Area as an area in need of rehabilitation pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on October 23, 2019, the Municipal Council accepted the recommendation of the Planning Board and adopted a resolution which designated Block 203, Lot 17, Qualifier C0003 and Block 206, Lots 1A and 2 through 15 (in the area of the north side of Patrick Avenue and Route 287) as an “area in need of rehabilitation” (“Rehabilitation Area”) in accordance with the Redevelopment Law;

WHEREAS, on December 16, 2019, pursuant to *N.J.S.A. 40A:12A-7f*, the Planning Board prepared a redevelopment plan entitled “Patrick Avenue Redevelopment Plan – Block 203, Lot 17, Qualifier C0003 and Block 206, Lots 1A and 2 through 15” (the “**Redevelopment Plan**”), held a hearing regarding same, and ultimately referred the Redevelopment Plan to the Municipal Council for adoption;

WHEREAS, upon review of the Planning Board’s referral of the Redevelopment Plan, the Municipal Council has determined to adopt the Redevelopment Plan (in the form attached hereto as Exhibit A), to ensure the success of redevelopment within the Redevelopment Area in conformity with the Township’s redevelopment objectives.

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

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

Section 2. The Redevelopment Plan, attached hereto as Exhibit A, is hereby adopted pursuant to the terms of *N.J.S.A. 40A:12A-7*.

Section 3. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Township Clerk during regular business hours.

Section 4. This Ordinance shall take effect in accordance with all applicable laws.

ORDINANCE O.2064-2020

EXPLANATION: An Ordinance amending the Township Code Chapter XVI, Fire Protection and Prevention, to provide for various amendments to the Township's fire prevention code to further ensure compliance with the State of New Jersey's fire prevention regulations.

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 rules, regulations and standards to regulate fire prevention and protection measures, pursuant to Chapter XVI of the Code; and

WHEREAS, the Township desires to amend various sections of Chapter XVI to ensure continued compliance with the State of New Jersey's fire prevention regulations; and

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

CHAPTER XVI FIRE PREVENTION AND PROTECTION

16-1 UNIFORM FIRE SAFETY ACT LOCAL ENFORCING AGENCY.

16-1.1 Local Enforcement.

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383; N.J.S.A. 52:27D-202), the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1.1 et seq.) shall be locally enforced in the municipality of the Township of Edison. (New)

16-1.2 Enforcing Agency Designated; Duties; Organization.

- a. *Agency Designation.* The local enforcing agency shall be the Bureau of Fire Prevention. The Bureau of Fire Prevention shall hereinafter be known as the local enforcing agency.
- b. *Duties of Agency.* The local enforcement agency shall enforce the Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et seq.) and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries of the Township of Edison, other than owner-occupied one- and two-family dwellings and buildings owned or operated by the Federal government, the State and interstate agencies and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

- c. *Organization.* The local enforcing agency shall be under the direct supervision and control of the Chief Fire Inspector/Fire Official, who shall report directly to the Chief of the Division of Fire.

16-1.3 Inspection of Life Hazard Uses.

The local enforcing agency established in this section shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

- a. *Registration Fees.* All life hazard uses are subject to a one-time registration fee. This fee is to be submitted along with the Business Registration form prior to opening and or conducting business within the Township. The form and fee are to be submitted to the Fire Prevention Bureau. Listed below is the fee schedule that is based on the square footage of building and or structure.
1. Up to four hundred and ninety-nine (499) square feet of occupiable space: twenty-five (\$25.00) dollars.
 2. Five hundred (500) square feet to nine hundred and ninety-nine (999) square feet of occupiable space: fifty (\$50.00) dollars.
 3. One thousand (1000) square feet to two thousand four hundred ninety-nine (2499) square feet of occupiable space: one hundred (\$100.00) dollars.
 4. Two thousand five hundred (2500) square feet to four thousand nine hundred ninety-nine (4999) square feet of occupiable space: one hundred fifty (\$150.00) dollars.
 5. Five thousand (5000) square feet to eleven thousand nine hundred and ninety-nine (11,999) square feet of occupiable space: two hundred (\$200.00) dollars.
 6. Twelve thousand (12,000) square feet to fifty thousand (50,000) square feet of occupiable space: two hundred seventy-five (275.00) dollars.
 7. An additional fifteen dollars (\$15.00) for each thousand (1,000) square feet over fifty thousand (50,000) square feet of occupiable space to be inspected.
 8. Any person who shall violate the provisions of this section shall be penalized by a fine equal to their registration fee.
- b. The owner(s) of businesses, occupancies, buildings, structures, or premises to be inspected shall submit an owner registration application for each space to be inspected.

It shall be a violation of this subsection for an owner to fail to return such forms within thirty (30) days. If the ownership is transferred whether by sale, gift, reorganization, receivership, foreclosure or execution of process, the new owner shall file with the local enforcement agency within thirty (30) days of transfer.

Applications shall be accompanied by fees in accordance with the subsection.

(1999 Code § 18-12-030; New; Ord. No. O.1828-2013; Ord. No. O.2019-2018)

16-1.4 Inspection of Non-Life Hazard Uses.

A non-life hazard use shall include any use that is not a life hazard use under the Uniform Fire Code.

- a. *Inspections.* The local enforcing agency shall inspect all non-life hazard buildings, structures or premises other than one- and two-family dwellings during a two-year cycle for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, contribute to the spread of fire, interfere with fire operations, endanger life, or any conditions constituting violation of the provision or intent of the Uniform Fire Code.
- b. *Registration Fees.* The owner(s) of all businesses, occupancies, buildings, structures or premises to be inspected in paragraph a. shall be subject to the following annual fee schedule.
 1. Up to four hundred ninety-nine (499) square feet of occupiable space: twenty-five (\$25.00) dollars.
 2. Five hundred (500) to nine hundred ninety-nine (999) square feet of occupiable space: [one hundred (\$100.00) dollars] Fifty (\$50.00) dollars.
 3. One thousand (1,000) square feet to two thousand four hundred ninety-nine (2,499) square feet of occupiable space: one hundred (\$100.00) dollars.
 4. Two thousand five hundred (2,500) square feet to four thousand nine hundred ninety-nine (4,999) square feet of occupiable space: one hundred fifty (\$150.00) dollars.
 5. Five thousand (5,000) square feet to eleven thousand nine hundred ninety-nine (11,999) square feet of occupiable space: two hundred (\$200.00) dollars.
 6. Twelve thousand (12,000) square feet to fifty thousand (50,000) square feet of occupiable space: two hundred seventy-five (\$275) dollars.
 7. An additional fifteen dollars (\$15.00) for each thousand (1,000) square feet over fifty thousand (50,000) square feet of occupiable space to be inspected.
 8. Any person who shall violate the provisions of this section shall be penalized by a fine equal to their registration fee.
- c. The owner(s) of businesses, occupancies, buildings, structures or premises to be inspected shall submit an owner registration application for each space to be inspected.

It shall be a violation of this section for an owner to fail to return such forms within thirty (30) days. If the ownership is transferred whether by sale, gift, reorganization, receivership, foreclosure or execution of process, the new owner shall file with the local enforcement agency within thirty (30) days of transfer.

Applications shall be accompanied by fees in accordance with the section.

(1999 Code § 8.12.045; Ord. No. O.2019-2018)

16-1.5 Permit Fees; Fire Code Status Requests.

- a. *Permit Fees.* The application fee for a permit shall be as follows:

Permit	Fee
Type 1	\$54.00
Type 2	\$214.00
Type 3	\$427.00
Type 4	\$641.00
Type 5	\$1,380.00
Special Event Permit Fees:	
Per special event, up to 3 days duration, including setup and takedown	\$100.00
Per special event, 4 days to 6 days of duration, including setup and takedown	\$150.00
Per special event, 7 days to 10 days of duration, including setup and takedown	\$200.00
Per special event, 10 days of duration or longer, including setup and takedown	\$250.00
Tent Permit Fees:	
Per tent up to 900 square feet in area	\$25.00
Per tent from 900-16,800 square feet in area	\$42.00
Per tent 16,800 square feet in area and greater	\$250.00
Storage of Solid or Liquid Oxidizing Agent Permit Fees:	
Pool chlorine storage fee	\$250.00
<u>Mobile Food Truck Semi-Annual Permit</u>	<u>\$350.00</u>
<u>Late Permit Processing Fee</u>	<u>\$50.00</u>

- b. *Permits Required.*

1. Type 1, 2, 3, 4 and 5 permits are required per N.J.A.C. 570-1.1 et seq., of the Uniform Fire Code.
2. Special Event Permits shall be required for short-term special events, including but not limited to concerts, conferences, conventions, demonstrations, exhibits, expositions, fairs and sports events, wherein an unusual mass assembly of persons is expected to occur. This permit shall apply to convention centers, cultural centers and exhibition halls. Public buildings and events permitted under

the Township Public Event Permit are excluded. This permit shall be required for each special event and shall be in addition to any other permits or approvals required by law.

3. Tent Permits shall be required for the erection, operation, or maintenance of any tent, tensioned membrane structure, or canopy, excluding those used for recreational camping purposes. This permit shall be required for each tent erected and shall be in addition to any other permits or approvals required by law.
 4. Storage of Solid or Liquid Oxidizing Agent Permits shall be required for the seasonal storage of chlorine in solid or liquid forms. This permit shall also be required for any building used for the storage or distribution of solid or liquid oxidizing agents.
 5. Mobile Food Truck operators may apply for a semi-annual permit which will satisfy the requirement of a Type I Permit at multiple venues for a period of six (6) months. Applications for said permit must be accompanied by a valid Fire Suppression System Test Report, Kitchen Hood Cleaning Report, and Proof of Class K Fire Extinguisher Inspection. Operator must notify the Fire Code Official at least 72 hours in advance of each event, failure to do so will result in a late permit processing fee of fifty (\$50.00) dollars. Mobile Food Trucks shall be subject to inspection at every event.
 6. Any person who fails to obtain a permit prior to said activity shall be subject to the late permit processing fee of fifty (\$50.00) dollars.
- c. Request for Fire Code Status. Request for Fire Code Status, as required in N.J.A.C. 5:70-1.1 et seq., shall be obliged only after the completion of a fire safety inspection, the fee for which shall be fifty (\$50.00) dollars.

(1999 Code § 8.12.090; Ord. No. O.2019-2018)

16-1.6 Registration; Inspection; Fees.

The following buildings are subject to registration and inspection fees with the Edison Division of Fire and five-year periodic inspections that are not covered by the New Jersey State Fire Code, N.J.A.C. 5:70-1.1 et seq.

- a. *Multiple Dwelling[s]* Inspection fees.
 1. All multiple dwellings with less than thirteen (13) units per building shall be inspected every five (5) years. The [registration] inspection fee shall be [one hundred twenty (\$120.00)] one hundred fifty (\$150.00) dollars per building.
 2. All multiple dwellings with thirteen (13) units and no more than twenty-four (24) units per building shall be inspected every five (5) years. The [registration] inspection fee shall be [one hundred eighty (\$180.00)] two hundred (\$200.00) dollars per building.

3. All multiple dwellings with more than twenty-four (24) units per building shall be inspected every five (5) years. The [registration] inspection fee shall be [two hundred forty (\$240.00)] three hundred (\$300.00) dollars per building.
4. The [registration] inspection fee shall be paid [prior to] within thirty (30) days of the [inspection and] Certificate of Housing Inspection and shall remain valid for a period of five (5) years.
5. All multiple dwellings shall be subject to a reinspection fee of [twenty-five (\$25.00)] fifty (\$50.00) dollars per building.

b. Multiple Dwelling Registration

1. All multiple dwellings with one (1) to five (5) buildings shall have an annual registration fee of one hundred (\$100.00)
2. All multiple dwellings with six (6) to ten (10) buildings shall have an annual registration fee of one hundred fifty (\$150.00)
3. All multiple dwellings with eleven (11) to fifteen (15) buildings shall have an annual registration fee of two hundred (\$200.00)
4. All multiple dwellings with sixteen (16) or more buildings shall have an annual registration fee of three hundred (\$300.00)

[b.] c. Hotel/Motels. All hotels/motels that constitute life hazard uses which are subject to registration with the Edison Division of Fire and are covered by the New Jersey State Fire Code, N.J.A.C. 5:70-1.1 et seq., shall be exempt.
(1999 Code § 8.12.100)

16-2 RESERVED.

16-3 SMOKE DETECTORS.

16-3.1 Definitions.

As used in this section:

Dwelling means a building or structure which is wholly or partly used or intended to be used for living or sleeping by human occupants.

Dwelling unit means any building, structure or trailer containing one (1) or more rooms arranged for the use of one (1) or more persons as a single housekeeping unit.

Smoke detector means a device sensing visible or invisible smoke particles or combustion which, when activated, shall provide an alarm sufficiently audible to warn occupants in the dwelling unit, whether such occupants are sleeping or awake. Any such smoke detector shall bear a seal, tested and listed by an approved, nationally recognized fire testing laboratory, shall comply in design to all applicable State, Federal and industrial requirements, and, if such

smoke detector is electrically operated, then it shall be installed in conformance with the National Electrical Code Standard 70 and comply with all applicable permits and building subcode inspection requirements.
(1999 Code § 8.40.010)

16-3.2 Exceptions.

Any new, rehabilitated or existing dwelling which is required by law or regulation to have installed therein any smoke detector or fire prevention system other than that which is required by this section and does in fact have such system installed shall be exempted from the provisions of this section. (1999 Code § 8.40.020)

16-3.3 Existing Dwellings.

- a. One (1) smoke detector shall be installed on the highest habitable level of every dwelling unit and on each floor level, including the basement, where one (1) of such detectors shall be located on the basement or cellar ceiling as close as possible to the stairway opening. Additionally, smoke detectors shall be installed within ten (10) feet of each sleeping area. (1999 Code § 8.40.030)
- b. The smoke alarms required in (a) above shall be located and maintained in accordance with NFPA 72.
- c. Ten-year sealed battery-powered single station smoke alarms shall be installed and shall be listed in accordance with ANSI/UL 217. However, A/C-powered single or multiple-station smoke alarms installed as part of the original construction or rehabilitation project shall not be replaced with battery-powered smoke alarms.
- d. A/C-powered smoke alarms shall be accepted as meeting the requirements of this section provided that they are not more than ten (10) years in age.

16-3.4 Responsibility for Installation and Maintenance.

- a. It shall be the responsibility of the owner of each dwelling unit to comply with this section. It shall be unlawful for any owner to fail or refuse to install such detectors in accordance with this section or fail to maintain the detectors in proper working order.
- b. It shall be the duty of the tenant or occupant of a dwelling unit, at his or her own cost and expense, to maintain and replace all batteries of battery-operated and hardwired battery backup smoke detector devices installed by the owner in the dwelling unit. Any tenant who fails to so maintain and replace such batteries shall be guilty of violating this section.
- c. The duty of the tenant to maintain the batteries shall not relieve the owner of the duty to maintain the detector unit in proper operating order other than the batteries in the dwelling unit, as well as the duty to maintain both the batteries and the unit installed in the common areas of the dwelling.
- d. Upon compliance with this section and the Uniform Fire Code, N.J.A.C. 5:70-1 et seq., by any owner by resale or change in occupancy of a single-family dwelling, a CO and a certificate of smoke detector compliance shall be issued by the Fire Code Official in

charge of enforcement. Requests ten (10) business days prior to issuance, sixty (\$60.00) dollars. Requests four (4) to ten (10) business days prior, ninety (\$90.00) dollars. Requests fewer than four (4) business days prior, one hundred forty (\$140.00) dollars. Should a reinspection be required due to a failure to appear for an appointment a fifty (\$50.00) dollar fee shall be applied. Should a reinspection be required due to a failure to comply with the conditions set forth within the Uniform Fire Code a twenty (\$20.00) dollar fee shall be applied.

(1999 Code § 8.40.040; Ord. No. O-1828-2013; Ord. No. O.2016-2018)

16-3.5 Interference with Detectors.

It is unlawful for any tenant, occupant, owner or any other person to tamper with, damage, destroy, steal, paint over or do anything to cause such smoke detector to malfunction or fail to operate. (1999 Code § 8.40.050)

16-3.6 Enforcement.

a. Effective immediately, no certificate of occupancy shall be issued for any new dwelling or newly rehabilitated dwelling unless the Division of Fire certifies that such dwelling has complied with this section.

b. After the enactment of this section, the Tax Collector shall promptly notify all owners of record of dwelling units and thereafter all new owners of record of dwelling units of the requirements of this section and, in the same communication, forward the owners a certification, to be executed under penalty of perjury, reciting that the owner has complied with the requirements of this section and to be returned to the Division of Fire.
(1999 Code § 8.40.060)

16-3.7 Enforcing Official.

The Construction Official responsible for enforcement shall be the Fire Protection Subcode Official and Electrical Official and any other duly qualified inspector whose responsibilities are directly related to the function, whether or not specifically provided for. (1999 Code § 8.40.070)

16-3.8 Right to File Complaint.

In addition to the enforcement of this section by the Township Officials, any person may institute and file a complaint in the Municipal Court of Edison against any other person who is found violating any provisions of this section. (1999 Code § 8.40.080)

16-3.9 Violations; Penalties.

Any person violating this section shall be liable for a minimum fine of fifty (\$50.00) dollars and a maximum fine not to exceed the penalty stated in Chapter I, Section 1-5 together with the penalty stated in N.J.S.A. 52:27D-198.3. (1999 Code § 8.40.090)

16-4 UNIFORM FIRE CODE.

16-4.1 Adoption of Standards.

There is adopted by the Township, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, that certain Code known as the "Uniform Fire Code, State of New Jersey, of the New Jersey Administrative Code" thereof and all changes and additions that are adopted from time to time, of which Code not less than three (3) copies have been and are now filed in the office of the Clerk of the Township; and the same is adopted and incorporated as fully as if set forth herein, the provisions thereof shall be controlling within the limits of the Township. (1999 Code § 8.12.010)

16-5 FIRE PREVENTION STANDARDS ADOPTED.

16-5.1 Storage of Explosives.

The limits referred to in Article 26 of the Uniform Fire Code, in which storage of explosives and blasting agents is prohibited, are established as prescribed in the zoning ordinance of the Township. (1999 Code § 8.16.040)

16-5.2 Storage of Flammable Liquids.

a. The limits referred to in Article 28 of the Uniform Fire Code, in which storage of flammable liquids in outside aboveground tanks is prohibited, are established as prescribed in the zoning ordinance of the Township.

b. The limits referred to in Article 28 of the Uniform Fire Code, in which new bulk plants for flammable or combustible liquids are prohibited, are established as prescribed in the zoning ordinance of the Township.
(1999 Code § 8.16.050)

16-5.3 Storage of Liquefied Petroleum Gases.

The limits referred to in Article 30 of the Uniform Fire Code, in which bulk storage of liquefied petroleum gas is restricted, are established as prescribed in the zoning ordinance of the Township. (1999 Code § 8.16.060)

16-5.4 New Materials, Processes or Occupancies Which May Require Permits.

The Director of Public Safety, the Chief of the Paid Fire Division and a member of the Fire Prevention Bureau shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits in addition to those now enumerated in the Uniform Fire Code. The Chief of the Paid Fire Division shall post such list in a conspicuous place in his or her office and distribute copies thereof to interested persons. (1999 Code § 8.16.070)

16-5.5 Fire and Emergency Access Lanes.

a. Authority is vested in the Chief of the Fire Department and the Chief of Police or his/her designee to establish and designate fire and emergency access lanes in and around private property, parking areas and parking places which are open to the public or to which the public is invited.

b. The fire and emergency access lanes may include, but are not limited to, no-parking or no-standing areas, traffic directional lanes and areas designated solely for pedestrian traffic. Parking shall be in the designated areas.

c. Fire and emergency access lanes shall be in those locations and of sufficient design as may be reasonably required by the public safety and welfare. The purpose of these lanes is to guarantee unimpaired ingress and egress in and around public parking areas and to and around all buildings located in these areas in the event of fire or other emergency, for police, fire and other emergency vehicles. These lanes shall be installed by the property owner with acceptable signs and paint on the pavement provided by the property owner and installed and maintained under the guidance and direction of the Chief of the Fire Department and the Chief of Police or his/her designee.

d. No person, firm or corporation, or any of their agents or employees, shall leave standing or cause to be parked any vehicle in any of the aforementioned lanes nor cause any other obstruction in these designated lanes.

e. All fire hydrants, standpipes and ten (10) feet on either side of the hydrant and standpipes shall be designated as fire zones. Such designation shall apply to all fire hydrants and standpipes located within the Township.

f. The Chief of the Fire Department and the Chief of Police or his/her designee shall have concurrent jurisdiction to enforce the provision of this subsection by the issuance of summonses or complaints. In addition to the penalties provided hereafter, any vehicle parked in violation of the regulations provided under this subsection may be towed away summarily by the Police Department at the expense of the violator.

g. Any person who shall violate the provisions of this section shall be punished by a fine of not more than five hundred (\$500.00) dollars or by imprisonment of not more than ninety (90) days, or both, at the discretion of the court.

(1999 Code § 8.16.080; Ord. No. O.1607-2008 § 7; Ord. No. O.1722-2009 § 2)

16-5.6 Barbecue Grills.

a. Barbecue grills using propane fuel with fuel tanks attached shall not be located or operated within or upon any building or within five (5) feet laterally of any building, wall or overhang.

b. Barbecue grills using charcoal or wood fuel shall not be operated within or upon any building or within five (5) feet laterally of any building, wall or overhang. (1999 Code § 8.16.090)

16-5.7 Key Lock Box System.

a. The following structures shall be equipped with a key lock box at or near the main entrance or such other location required by the Fire Official:

1. Commercial or industrial structures protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency;

2. Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units;

3. Governmental structures and nursing care facilities.

b. All newly constructed structures subject to this subsection shall have the key lock box installed and operational prior to the issuance of an occupancy permit. All structures in existence on the effective date of this section and subject to this section shall have one (1) year from the effective date of this section to have a key lock box installed and operational.

c. The Fire Official shall designate the type of key lock box system to be implemented within the Township and shall have the authority to require all structures to use the designated system.

d. The owner of or operator of a structure required to have a key lock box shall, at all times, keep a key in the lock box that will allow for access to the structure.

e. *Key Box Maintenance.* The operator of the building shall immediately notify the Fire Official and provide the new keys when a lock is changed or re-keyed. The key to such lock shall be secured in the key box (N.J.A.C. 5:70-3, 506.2).

f. The Fire Official shall be authorized to implement rules and regulations for the use of the lock box system.

g. Any person who owns or operates a structure subject to this section shall be subject to the penalties set forth in Section 16-6 of this Code for any violation of this subsection, provided that the MAXIMUM fine for a conviction for a violation of this section shall be two thousand (\$2,000.00) dollars.

(Ord. No. O.1725-2009 § I)

16-5.8 Modifications of Provisions.

The Chief of the Paid Fire Division shall have power to modify any of the provisions of the Uniform Fire Code upon application in writing by the owner or lessee or his or her duly authorized agent when there are practical difficulties in the way of carrying out the strict letter of the Uniform Fire Code, provided that the spirit of the Uniform Fire Code shall be observed, public safety secured and substantial justice done. The particulars of such modification, when granted or allowed, and the decision of the Chief of the Paid Fire Division thereon shall be entered upon the records of the Division, and a signed copy shall be furnished to the applicant. (1999 Code § 8.16.100; Ord. No. O.1725-2009 § I)

16-5.9 Appeals.

Whenever the Chief of the Paid Fire Division shall disapprove an application or refuse to approve a permit applied for, or when it is claimed that the provisions of the Uniform Fire Code do not apply or that the true intent and meaning of the Uniform Fire Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Paid Fire Division to the Board of Adjustment of the Township within thirty (30) days from the date of the decision appealed. Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, (see N.J.S.A. 52-27D-206 and N.J.S.A. 52-27D-208) any person aggrieved by any order of the local enforcement agency or agencies shall have the right to appeal to the Construction Board of Appeals of the County of Middlesex. (1999 Code § 8.16.110; Ord. No. O.1725-2009 § I)

16-6 VIOLATIONS; PENALTIES.

a. Any person who shall violate any of the provisions of the Uniform Fire Code or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Board of Adjustment of the Township or by a court of competent jurisdiction within the time fixed herein, shall severally for each and every such violation and noncompliance respectively be liable, upon conviction, to the penalty stated in N.J.A.C. 5:70-2.12. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

b. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

c. *Fire Department Costs.*

1. When an owner has been given notice of the existence of a violation of this Code and has not abated the violation, he or she shall be liable to a penalty in the amount of the actual cost to the Fire Department of suppressing any fire directly or indirectly resulting from the violation.

2. Such cost shall be certified by the Chief of the Paid Fire Division, and he or she shall assess the amount certified and collect it under the Penalty Enforcement Law (N.J.S.A. 2A:58-1 et seq.) in the Superior Court, County district court or Municipal Court.

3. All moneys collected pursuant to this subsection shall be paid to the Municipality and appropriated to the Fire Department to defray the certified costs.
(1999 Code § 8.16.120; Ord. No. O.1725-2009 § I)

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 Township Code Chapter XVI, as set forth herein above.
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 XVI 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.2065-2020

EXPLANATION: An Ordinance establishing the not-to-exceed salaries of Township of Edison Council members.

WHEREAS, the municipal council (“Municipal Council”) of the Township of Edison (“Township”) seeks to establish the not-to-exceed salaries of the Council.

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

Section 1. The not-to-exceed annual base salaries for Council Members shall be as follows:

<u>Municipal Council</u>	<u>Salary (not-to-exceed)</u>
Council President	\$19,500.00
Councilperson	\$18,000.00

Section 2. The above salaries shall be adjusted annually commensurate with adjustments given to union employees in each year succeeding the adoption of this Ordinance.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The Chief Financial Officer of the Township is hereby authorized to transfer such sums as may be necessary to cover such payroll as authorized herein.

Section 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.

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

Section 6. This ordinance shall become effective upon final passage and publication according to law.

ORDINANCE O.2066-2020

Explanation: Codifies the policy of the Township of Edison (the "Township") regarding Military Leave Law for Township employees, not including temporary or seasonal employees, who are called to active military duty or service, or in-active duty training

WHEREAS, Executive Order No. 1-2019 establishes the policy of the Township of Edison (the "Township") regarding Military Leave Law for Township employees, not including temporary or seasonal employees, who are called to active military duty or service, or in-active duty training; and

WHEREAS, the municipal council ("Municipal Council") of the Township of Edison ("Township") seeks to amend and codify Executive Order No. 1-2019; and

WHEREAS, in accordance with 26 U.S. Code § 112, the term "Combat Zone" means any area which the President of the United States by Executive Order designates as an area in which Armed Forces of the United States are or have engaged in combat; and

WHEREAS, service is performed in a Combat Zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combatant activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone;

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

I. ACTIVE DUTY TRAINING AND/OR SERVICE, STATE OF NEW JERSEY NATIONAL GUARD (AIR/ARMY/NAVAL/STATE GUARD UNITS)

The policy of the Township regarding any employee, not including any temporary or seasonal employee of the Township, who is called to active duty training and/or service for any division of the New Jersey National Guard, in addition to any benefits, rights or privileges set forth in any state or federal law, is as follows:

A. The Township must allow leave for up to 90 work days per calendar year with full pay. If leave extends into a new calendar year, the employee will be eligible to receive full pay for an additional 90 days of active duty training and/or service for that calendar year.

B. The employee will continue to accrue vacation, personal and sick time during each 90 day period of paid active duty training/service period.

C. If the employee is called to active duty training and/or service and is deployed to a Combat Zone, the employee will continue to earn pay and accrue vacation, personal and sick time after the expiration of the 90 day period set forth above, until such time that the employee is no longer deployed in a Combat Zone. including any leave and reconstitution time accrued for service in said combat zone.

D. For employees who are called to active duty training/service and are not deployed to a Combat Zone, after expiration of 90 paid work days per calendar year,

1. The Township has no obligation to pay the employee.
2. The Township can stop the accruing of agency time off (which includes vacation, personal and/or sick days).
3. The Township can stop making pension payments, but if the employee buys that time back, the Township must pay the Township's portion.
4. If the employee wishes to continue with Township based health benefits, the employee must pay the premiums for said benefits.
5. If the employee chooses to suspend Township health benefits while on active duty training, said benefits will be reinstated immediately upon return to work.

E. The employee does not lose seniority while on active duty training.

F. The employee may (if he/she opts to do so) utilize accrued vacation, personal or accumulated time (but not sick time) for active duty training and/or service that exceeds 90 paid days, but cannot be forced to do so.

II. ACTIVE DUTY TRAINING AND/OR SERVICE, FEDERAL RESERVES (ARMY/NAVAL/AIR FORCE/MARINE CORPS/COAST GUARD RESERVES & NATIONAL GUARD FROM OTHER STATES)

The policy of the Township regarding any employee, not including any temporary or seasonal employee of the Township, who is called to active duty training and/or service for any division of the Federal Reserves, or for the National Guard from a state other than New Jersey, in addition to any benefits, rights or privileges set forth in any state or federal law is as follows:

A. The Township must allow up to 90 work days per calendar year with full pay. If leave extends into a new calendar year, the employee will be eligible to receive full pay for an additional 90 days of active duty training and/or service for that calendar year.

B. The employee continues to accrue vacation, personal and sick time during the 90 day paid active duty training/service requirement.

C. If the employee is called to active duty training and/or service and is deployed to a Combat Zone, the employee will continue to earn pay and continue to accrue vacation, personal and sick time after the expiration of the 90 day period set forth above, until such time that the employee is no longer deployed in a Combat Zone. including any leave and reconstitution time accrued for service in said combat zone.

D. For employees who are called to active duty training and/or service and who are not deployed to a Combat Zone, after expiration of 90 paid work days per calendar year,

The Township has no obligation to pay the employee.

- The Township can stop the accruing of agency time off (which includes vacation, personal, and sick days).
- The Township can stop making pension payments, but if the employee buys that time back, the Township must pay the Township's portion.
- If the employee wishes to continue with Township based health benefits, the employee must pay the premiums for said benefits.
- If the employee chooses to suspend Township health benefits while on active duty training/service, said benefits will be reinstated immediately upon return to work.

E. The employee does not lose seniority while on active duty training and/or service.

F. The employee may (if he/she opts to do so) utilize accrued vacation, personal or accumulated time (but not sick time) for active duty training and/or service that exceeds 90 paid days, but cannot be forced to do so.

III. IN-ACTIVE DUTY TRAINING

The policy of the Township regarding any employee, not including any temporary or seasonal employee of the Township, who is called to in-active duty training, in addition to any benefits, rights or privileges set forth in any state or federal law is as follows:

A. The Township must allow the employee to attend in-active duty training without loss of time or pay.

B. The Edison Municipal Council has the right to provide additional pay over 90 days on a case by case as necessary

IV. SEVERABILITY

If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this ordinance.

V. EFFECTIVE DATE

This ordinance shall take effect in accordance with applicable law.

RESOLUTION R.041-012020

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
EDISON FOR THE PERIOD ENDING January 16, 2020

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township
Council a Report of Disbursements made through, January 16, 2019

FUND	AMOUNT
Current	\$25,974,109.51
Affordable Housing	18,691.67
Capital	1,021,621.86
Cash Performance	0.00
CDBG	6,123.54
Developers Escrow	102,795.53
Dog (Animal Control)	26,686.92
Federal Forfeited	1,230.85
Grant Funds	5,270.33
Law Enforcement	0.00
Open Space	0.00
Park Improvements	36.40
Payroll Deduction	70,251.90
Sanitation Fund	485,172.03
Self Insurance	0.00
Sewer Utility	190,323.17
Tax Sale Redemption	623,417.39
Tree Fund	0.00
Tree Planting	7,125.00
Trust	103,825.84
Edison Water Utility	166,820.17
Edison Landfill Closure Trust	57.00
TOTAL	\$28,803,559.11

/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.042-012020

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 **\$159,957.34**.

RESOLUTION R.043-012020

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 **\$2400.00**.

RESOLUTION R.044-012020

Authorizing Overpayment Refund caused by Successful Tax Court Appeal

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgments from the Tax Court of New Jersey for the cases on list attached for 16 FAIRFAX RD, and

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

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount and for the years listed, totaling **\$4,420.93**, and may also cause additional real estate tax overpayments for affected tax years for which the tax rate or assessment may not have been finalized, or payment not received or posted at the time of this resolution, and

WHEREAS, per N.J.S.A. 54:3-27.2 (**Refund of Excess Taxes; Interest**), “in the event a taxpayer is successful in an appeal from an assessment on real estate property, the respective taxing district shall refund any excess taxes paid, together with interest thereon from the date of payment at a rate of 5% per annum, less any amount of taxes, interest, or both, which may be applied against delinquencies pursuant to section 2 of P.L.1983, c.137 (C.54:4-134), within 60 days of final judgment.”, and

WHEREAS, Upon request the tax payer or legal representative and confirmation of the Township’s Tax Appeal Lawyer for the cases interest may be owed, if not waived or if paid after the agreed deadline for waiving, and may be needed to be paid also.

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:
 - a. Listed as part of this resolution totaling **\$4,420.93**.
 - b. Calculated by the Tax Collector after the setting of the tax rate and final assessment or further review payments, if at such time the account reflects a further overpayment related to this resolution.
 - c. Of interest at a rate of 5% per annum from the due date to the date of the payments as calculated by the Tax Collector upon request and confirmation of the Township’s Tax Appeal Lawyer.

RESOLUTION R.045-012020

TEMPORARY BUDGET APPROPRIATIONS

WHEREAS, the Local Budget Law, specifically N.J.S.A. 40A:4-19, 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 2019 budget; and

WHEREAS, the date of this resolution is within the first 30 days of the calendar year, and

WHEREAS, the total amount of 2020 temporary budget is not in excess of 26.25% of 2019 budget, exclusive of debt service, capital improvement fund and public assistance.

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

<u>CURRENT FUND</u>	<u>AMOUNT</u>
BUSINESS ADMINISTRATOR Salary	152,479.17
BUSINESS ADMINSTRATOR Other Expenses	22,613.06
PURCHASING Salary	59,933.74
PURCHASING Other Expenses	24,200.66
PURCHASING CENTRAL STORE Other Expenses	16,365.30
COMMUNICATIONS/EDISON TV Salary	32,291.97
COMMUNICATIONS/EDISON TV Other Expenses	14,542.50
PERSONNEL/HR Salary	42,937.91
PERSONNEL/HR Other Expenses	22,876.88
MAYOR Salary	10,495.80
MAYOR Other Expenses	630.00
COUNCIL Salary	20,259.75
COUNCIL Other Expenses	6531.01
MUNICIPAL CLERK Salary	47,293.84
MUNICIPAL CLERK Other Expenses	67,751.26

ETHICS COMMISSION Other Expenses	2,625.00
FINANCE DEPARTMENT Salary	2,100.00
FINANCE DEPARTMENT Other Expenses	48,455.63
DISBURSEMENTS Salary	51,402.22
DISBURSEMENTS Other Expenses	1,077.30
PAYROLL Salary	15,153.60
PAYROLL Other Expenses	10,320.15
AUDIT SERVICES	18,923.10
DATA PROCESSING Other Expenses	50,745.00
TAX COLLECTION Salary	55,217.14
TAX COLLECTION Other Expenses	7,919.63
TAX ASSESSMENT Salary	74,508.00
TAX ASSESSMENT Other Expenses	43,837.50
LEGAL DEPARTMENT Salary	27,043.01
LEGAL DEPARTMENT Other Expenses	194,250.00
ENGINEERING SERVICES Salary	118,229.48
ENGINEERING SERVICES Other Expenses	75,253.77
PLANNING BOARD Other Expenses	7,665.00
ENVIRONMENTAL COMM Other Expenses	341.26
ZONING BOARD Other Expenses	6,877.50
PLANNING & ZONING DEPT Salary	73,301.29
PLANNING & ZONING Other Expenses	26,775.00
CONSTRUCTION ENFORC AGENCY Salary	394,047.15
CONST ENF AGENCY Other Expenses	96,993.75
RENT CONTROL BOARD Salary	3,937.50
RENT CONTROL BOARD Other Expenses	367.50
GROUP HEALTH INSURANCE	6,265,616.70
EMPLOYEE SALARY AND	
WAGES(WAIVERS)	0.00
UNEMPLOYMENT INSURANCE EXPENSE	0.00

INSURANCE & SURETY Expense	2,091,175.00
LOSAP-Other Expenses	26,250.00
POLICE DEPARTMENT Salary	7,211,303.67
POLICE DEPARTMENT Other Expenses	303,909.38
DISPATCH 911 Salary	560,399.71
DISPATCH 911 Other Expenses	142,931.25
OFFICE OF EMRGNCY MGMT Other Expenses	3,937.50
AID TO VOL FIRE	0.00
AID TO VOL FIRST AID	0.00
FIRE FIGHTING Salary	5,693,394.66
FIRE FIGHTING Other Expenses	259,840.88
FIRE PREVENTION Salary	96,087.86
FIRE PREVENTION Other Expenses	29,347.50
FIRE HYDRANT CHARGES	422,394.79
STREETS & ROADS Salary	372,546.04
STREETS & ROADS Other Expenses	85,260.00
SOLID WASTE RECYCLING Salary	285,500.51
SOLID WASTE RECYCLING Other Expenses	16,143.75
BUILDINGS & GROUNDS Salary	420,853.91
BUILDINGS & GROUNDS Other Expenses	60,900.00
MUNICIPAL GARAGE Salary	216,821.85
MUNICIPAL GARAGE Other Expenses	25,173.75
POLICE VEHICLES Salary	63,974.40
POLICE VEHICLES Other Expenses	60,598.13
CONDO COMMUNITY COSTS	42,000.00
HEALTH Salary	425,861.11
HEALTH Other Expenses	38,298.77
SENIOR CITIZEN Salary	95,801.47
SENIOR CITIZEN Other Expenses	10,434.39

RECREATION Salary	424,334.40
RECREATION Other Expenses	152,329.81
PARKS & TREES Salary	311,122.61
PARKS & TREES Other Expenses	20,422.50
FREE PUBLIC LIBRARY Salary	739,315.50
FREE PUBLIC LIBRARY Other Expenses	780,499.13
CELEBRATION OF PUBLIC EVENTS EXPENSES	16,012.50
PUBLIC BUILDINGS HEAT,LIGHT,POWER	248,290.61
STREET LIGHTING EXPENSE	288,750.00
PUBLIC BUILDINGS TELEPHONE	65,625.00
FUEL & LUBRICANTS Other Expenses	214,159.31
CONTINGENT Expense	13,125.00
PERS Expense	519,379.59
O.A.S.I. (SOCIAL SECURITY) Expense	437,564.64
Defined Contribution Retirement Program Expenses	18,900.00
PFRS Expemses	2,173,086.45
MUNICIPAL COURT Salary	164,542.35
MUNICIPAL COURT Other Expenses	14,980.88
PUBLIC DEFENDER Salary	9,187.50
PUBLIC DEFENDER Other Expenses	525.00
 TOTAL CURRENT FUND	 <u><u>33,887,479.09</u></u>

SEWER UTILITY FUND

AMOUNT

SEWER Salary	485,033.59
SEWER Other Expenses	1,178,556.25

SEWER Sewerage Disposal Charges	2,887,500.00
SEWER Capital Improvement Projects	275,269.94
SEWER Public Emp Retirement Sys (PERS)	251,002.00
SEWER Social Security (OASI)	39,375.00
TOTAL SEWER UTILITY FUND	<u>5,116,736.78</u>

<u>WATER UTILITY FUND</u>	<u>AMOUNT</u>
WATER Salary	377,641.96
WATER Other Expenses	758,272.19
WATER Bulk Water Purchase	1,844,062.50
WATER Capital Outlay	263,367.38
WATER Public Emp Retirement Sys (PERS)	176,790.00
WATER Social Security (OASI)	28,889.70
TOTAL WATER UTILITY FUND	<u>3,449,023.73</u>

<u>SANITATION FUND</u>	<u>AMOUNT</u>
SANITATION Salary	675,937.50
SANITATION Other Expenses	835,230.46
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	597,211.00
SANITATION Public Emp Retirement Sys (PERS)	184,700.00
SANITATION Social Security (OASI)	52,500.00
SANITATION Disposal Fees	551,250.00
SANITATION Capital Outlay	234,500.00
TOTAL SANITATION FUND	<u>2,896,828.96</u>

RESOLUTION R.046-012020

**RESOLUTION OF THE TOWNSHIP OF EDISON AUTHORIZING THE SALE OF SURPLUS
PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE TO EDISON TOWNSHIP BOARD
OF EDUCATION**

WHEREAS, The Township of Edison has determined that they have a 1995 Ford F80 Truck, VIN # 1FDYF80E0SVA75455, License Plate #MG35371, that is no longer needed for public use; and

WHEREAS, Local Contracts Law 40A:11-36(2) allows the sale of such property to another contracting unit;
and

WHEREAS, Edison Township Board of Education desires to purchase this vehicle at a price of \$1.00; and

WHEREAS, this vehicle is to be sold as is; 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, State of New Jersey that the Township of Edison is hereby authorized to sell the 1995 Ford Truck, VIN # 1FDYF80E0SVA75455, License Plate #MG35371 for the sale price of \$1.00 to Edison Township Board of Education as indicated herein.

RESOLUTION R.047-012020

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO EDMUNDS & ASSOCIATES, INC.
FOR RENEWAL OF HARDWARE AND SOFTWARE MAINTENANCE FOR THE EDMUNDS SYSTEM
FOR 2020 AND FOR THE PURCHASE OF ANIMAL LICENSING II SOFTWARE APPLICATION**

WHEREAS, the Township of Edison needs to renew the hardware and software maintenance for the Edmunds System for the year 2020 and wishes to purchase the Animal Licensing II software application; and

WHEREAS, services such as support and/or maintenance of proprietary hardware and software may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(dd); and

WHEREAS, EDMUNDS & ASSOCIATES, INC., 301A Tilton Road, Northfield, NJ 08225, has submitted a proposal to provide maintenance services for the year 2020 at a cost of \$50,245.00 and provide the Animal Licensing II application at a cost of \$6,250.00 for a total cost of \$56,495.00; 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 will exceed \$17,500.00; and

WHEREAS, prior to entering into a contract EDMUNDS & ASSOCIATES, 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 EDMUNDS & ASSOCIATES, INC. from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$50,245.00; have been certified to be available in the Data Processing-Computer Hardware and Software Account, Number 0-01-20-0140-000-059 and funds in the amount of \$6,250.00 have been certified to be available in the Health Computer Hardware & Software Account, Number 0-01-27-0330-001-059, subject to and contingent upon appropriation of sufficient funds in the 2020 temporary and/or permanent budget; 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 and any other necessary documents, in the amount of \$56,495.00, with EDMUNDS & ASSOCIATES, INC., 301A Tilton Road, Northfield, NJ 08225 as set forth above.
2. This contract is awarded without competitive bidding pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-5 (dd) and N.J.S.A. 19:44A-20.5 et. seq, INC. as described herein
3. 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 **\$50,245.00** are available for the above contract in Account No. **0-01-20-0140-000-059** and funds in the amount of **\$6,250.00** are available in Account No. **0-01-27-0330-001-059**, subject to and contingent upon appropriation of sufficient funds in the 2020 temporary and/or permanent budget.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.048-012020

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO PEOPLE FOR ANIMALS FOR VETERINARY SERVICES/CLINICS

WHEREAS, the Township of Edison (the Township) has the need for veterinary services, and the Township is authorized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. ("Local Contracts Law") to contract for "professional services" as it may require; and

WHEREAS, PEOPLE FOR ANIMALS, 401 Hillside Ave., Hillside, NJ 07205 has submitted a proposal to provide such services; and

WHEREAS, the Local Contracts Law, more specifically N.J.S.A. 40A:11-5, allows for the awarding of a contract for "professional services" without public advertising for bids; 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, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS; the total amount of this contract shall be in the amount not to exceed \$90,000.00; and

WHEREAS, PEOPLE FOR ANIMALS has 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 PEOPLE FOR ANIMALS from making any reportable contributions through the term of this one year 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:

4. The Township is hereby authorized to execute a contract and any other necessary documents, with PEOPLE FOR ANIMALS, 401 Hillside Ave., Hillside, NJ 07205, in an amount not to exceed \$90,000.00 as set forth above.
5. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.5 et. seq, and without competitive bidding.
6. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
7. 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.

RESOLUTION R.049-012020

**Central Jersey Joint Insurance Program
2020 Safety Incentive Program
Acceptance Resolution**

**TOWNSHIP OF EDISON
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY**

**RESOLUTION ACCEPTING AND ADOPTING THE CENTRAL JERSEY MUNICIPAL JOINT
INSURANCE FUND'S 2020 SAFETY INCENTIVE PROGRAM**

WHEREAS, The Township of Edison is a member of the Central Jersey Municipal Joint Insurance Fund (CENTRAL JIF); and

WHEREAS, it is the policy of the CENTRAL JIF to achieve the best and most practical degree of freedom from accidents and / or injuries; and

WHEREAS, the CENTRAL JIF endeavors to ensure that all of their members' employees, volunteers and public are provided with a safe and healthy environment, free from any recognized hazards; and

WHEREAS, the CENTRAL JIF endeavors to ensure that all of their members are in compliance with applicable safety and health requirements; and

WHEREAS, the CENTRAL JIF's Safety Committee is made up of representatives of the Fund's Municipalities, along with the professionals employed by the Fund; and

WHEREAS, the new Program will assist all the Central JIF members in becoming or maintaining compliance with all Public Employees Occupational Safety and Health (PEOSH) Requirements; and

WHEREAS, the CENTRAL JIF has adopted the new 2020 SAFETY INCENTIVE PROGRAM which should succeed in providing a safe, healthful and pleasant environment; and

NOW; THEREFORE, BE IT RESOLVED, by the Township of Edison, County of Middlesex, State of New Jersey that the Central Jersey Municipal Joint Insurance Fund SAFETY INCENTIVE PROGRAM be adopted by the Township of Edison.

RESOLUTION R.050-012020

Explanation: A Resolution authorizing a subsidy grant of \$85,000 from the Township's Affordable Housing Market To Affordable Program for the purchase of a home from market rate to affordable.

WHEREAS, by Resolution the Township Council approved, authorized and established a Market To Affordable Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner/s in the purchase of eligible housing units in the Township of Edison, to use these existing properties as Affordable Housing units (Unit), and committed \$2.875 million dollars from the Township's Affordable Housing Trust Fund for this purpose; and

WHEREAS, the Township Council also approved and adopted a Manual at that time for the Market To Affordable Program in accordance with the Court's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a subsidy for such purchase under the Program; and

WHEREAS, a Unit was located and an application to participate in the Program was submitted, reviewed and deemed complete and in compliance with the requirements; and

WHEREAS, the Seller, has entered into a Sales Contract with a household that is income certified as eligible to purchase such a Unit, as approved by the Township's Administrative Agent and qualifies for a subsidy grant of \$85,000 to be paid from the Township's Affordable Housing Trust Fund in order to reduce the price for the Buyers to qualify the Unit as "Affordable"; and

WHEREAS, the title company, known as Direct Title, will distribute such funds to the Seller, on behalf of the Buyer, at the time of the Closing in order to meet the full *sale price*; and

WHEREAS, the Township Council desires to award this subsidy grant to buy-down the selling price to make it an *affordable* unit at 898 Amboy Avenue, Edison, NJ, Block 694.P, Lot 37.02, in the amount of \$85,000 for the purpose set forth herein under the Township's Market To Affordable Program; and to authorize the execution of a Deed Restriction between the Township and Njeri Gachago, the Buyer, with respect to such subsidy grant.

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

1. The Township Council hereby approves and authorizes a subsidy grant in the amount of \$85,000 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Township's Market To Affordable Program, to Direct Title, 400 West Main Street, Freehold, NJ 07728, for the purposes set forth herein and authorizes the execution of a Deed Restriction between the Township and Njeri Gachago, 898 Amboy Avenue, Edison, NJ 08837 with respect to such subsidy grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.051-012020

Explanation: A Resolution authorizing a grant of \$15,000 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the purchase of an *affordable* housing unit by an income certified buyer.

WHEREAS, by Resolution the Township Council approved, authorized and established a Market To Affordable Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner/s in the purchase of eligible *affordable* housing units in the Township of Edison, to use these existing properties as Affordable Housing units (Unit), and committed one million dollars from the Township's Affordable Housing Trust Fund for this purpose; and

WHEREAS, the Township Council also approved and adopted a Manual at that time for the Down Payment/Closing Cost Affordability Assistance Program in accordance with the Court's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a grant for such purchase under the Program; and

WHEREAS, a Unit was located and an application to participate in the Program was submitted, reviewed and deemed complete and in compliance with the requirements; and

WHEREAS, the Buyers, have entered into a Sales Contract to purchase an *affordable* housing unit, as approved by the Township's Administrative Agent and qualifies for a grant of \$15,000 to be paid from the Township's Affordable Housing Trust Fund in order to provide affordability assistance by reducing the costs for the Buyers; and

WHEREAS, the title company, known as Direct Title, will distribute such funds on behalf of the Buyer at the time of the Closing to subsidize the down payment or closing costs; and

WHEREAS, the Township Council desires to award this grant to provide assistance in the purchase of an *affordable* unit at 898 Amboy Avenue, Edison, NJ, known as Block 694.P, Lot 37.02, in the amount of \$15,000 for the purpose set forth herein under the Down Payment/Closing Cost Affordability Assistance Program; and to authorize the execution of an Agreement between the Township and Njeri Gachago, the Buyer, with respect to such grant.

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

1. The Township Council hereby approves and authorizes a subsidy grant in the amount of \$15,000 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Down Payment/Closing Cost Affordability Assistance Program, to be paid to Direct Title, 400 West Main Street, Freehold, NJ 07728, for the purposes set forth herein and authorizes the execution of an Agreement between the Township and Njeri Gachago, 898 Amboy Avenue, Edison, NJ 08837 with respect to such grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.052-012020

Explanation: Authorizing a non-refundable grant of \$877.90 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the tax differential of a Fair Market sale unit to an *affordable* housing unit.

WHEREAS, by Resolution the Township Council approved, authorized and established a Market To Affordable Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner/s in the purchase of eligible *affordable* housing units in the Township of Edison, to use these existing Fair Market value properties as Affordable Housing units (Unit), and committed one million dollars from the Township's Affordable Housing Trust Fund for this purpose; and

WHEREAS, the Township Council also approved and adopted a Manual at that time for the Down Payment/Closing Cost Affordability Assistance Program in accordance with the Court's directives, which set forth the application process for applicants to comply with in order to participate in the Program; and

WHEREAS, a Unit was located and an application to participate in the Program was submitted, reviewed and deemed complete and in compliance by the Township's Administrative Agent with the requirements to purchase; and

WHEREAS, the Unit is now subject to a reduction in property taxes based on the affordable assessed value that is lower than the current "market rate" assessed value of the property located at 31 Silver Lake Avenue for the 2020 tax year; and

WHEREAS, the Buyer is entitled to a non-refundable grant of \$877.90 to be paid from the Township's Affordable Housing Trust Fund in order to provide affordability assistance by reducing the costs for the Buyer; and

WHEREAS, the Township will distribute these funds on behalf of the Buyer to Edison Township's Tax Collector at the time of the Closing to subsidize the property taxes; and

WHEREAS, the Township Council desires to award these funds to provide assistance in the tax differential of an *affordable* unit at 31 Silver Lake Avenue in the amount of \$877.90 for the purpose and under the terms set forth herein under the Down Payment/Closing Cost Affordability Assistance Program; and to authorize the execution of an Agreement between the Township and Mara Brea, the Buyer, with respect to such grant.

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

1. The Township Council hereby approves and authorizes a non-refundable grant in the amount of \$877.90 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Down Payment/Closing Cost Affordability Assistance Program, to be paid to Edison Township's Tax Collector for the purposes set forth herein and authorizes the execution of an Agreement between the Township and Mara Brea, 31 Silver Lake Avenue with respect to such grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.053-012020

WHEREAS, The Edison Department of Health and Human Services 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, H-Mart has grant funds available, through its FY19 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities **H-Mart** serves, 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 for a maximum request of **\$10,000.00** from **H-Mart**, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

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

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by **H-Mart** 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, at a regularly-scheduled, combined Work Session and Public Meeting on the evening of Wednesday, January 22, 2020.

RESOLUTION R.054-012020

EXPLANATION: This Resolution awards a professional services contract to Conventus Labor Consulting, LLC, to implement improvements and continue to train staff in furtherance of the Township's Human Resource/Labor Relations management functions and processes.

WHEREAS, there exists a need for continued improvements and training with regard to the human resource and labor relation management functions and processes in the Township of Edison (the "**Township**"); and

WHEREAS, Conventus Labor Consulting, LLC ("**Company**") is skilled at and experienced in performing reviews of companies in order to help organization and analysis of existing labor issues, while implementing technologies and strategies to enhance the Township's best practices in order to enable the Office of Human Resources to meet the needs of the Township; and

WHEREAS, Company will also assist the Township in designing and implementing strategies, which will include but shall not be limited to, salary and benefits administration, labor contract administration and union grievance procedure, and workers' compensation, harassment and complaint procedures; and

WHEREAS, the Township is authorized pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* ("**Local Contracts Law**") to contract for "professional services" as it may require; and

WHEREAS, the municipal council of the Township ("**Municipal Council**") seeks to authorize the Company to provide human resource and labor relation consulting services from February 1, 2020 through January 31, 2021, and any other services as may be reasonably required to effectuate same (the "**Services Proposal**") attached hereto as *Exhibit A*; and

WHEREAS, the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, allows for the awarding of a contract for "professional services" without public advertising for bids; and

WHEREAS, prior to the execution of a contract, the Company will have completed and submitted a Business Entity Disclosure Certification to the Township, which certifies that no individual with a ten percent (10%) interest or larger in the Company has made any reportable contributions to a political or candidate committee in the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10%) interest or larger in the Company from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

WHEREAS, the contract shall not be awarded through a "fair and open process" pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

WHEREAS, compensation to the Company for human resource and labor management services shall be paid pursuant to the Services Proposal at a flat rate of Six Thousand Two Hundred Fifty Dollars (\$6,250.00) per month, and not to exceed Seventy-Five Thousand Dollars (\$75,000.00), with additional services outside the scope of the Services Proposal to be billed at a rate of \$125.00 per hour; and

WHEREAS, the Local Contracts Law requires that contracts awarded without competitive bid be authorized by resolution of the municipal governing body and that notice of the award of such contract be publicly advertised.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length herein.
2. The Municipal Council hereby authorizes the Company to perform human resource and labor management services to the Township from February 1, 2020 through January 31, 2021, and any other services as may be reasonably required to effectuate same pursuant to the Services Proposal.

3. The Mayor and Township Clerk are hereby authorized to execute a contract with the Company, consistent with the terms set forth herein and approved by the Township Attorney.

4. The contract is awarded without competitive bidding as a “professional service” under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.

5. In accordance with *N.J.S.A. 40A:11-5* of the Local Contracts Law, the Municipal Council hereby directs the Township Clerk to publish once in the official newspaper of the Township, a brief notice, substantially in the form attached hereto as *Exhibit B*, stating the nature, duration, service and amount of the contract authorized for execution herein, which notice shall state that a copy of this Resolution and the contract are on file and available for public inspection in the office of the Township Clerk.

6. The contract is awarded as a non-fair and open contract pursuant to *N.J.S.A. 19:44A-20.5* without competitive bidding. Total compensation to be paid will exceed \$17,500.

7. A copy of this Resolution, the Services Proposal, contract and the Company’s completed Business Entity Disclosure Certification shall be available for inspection in the office of the Township Clerk.

8. This Resolution shall take effect immediately.

RESOLUTION R.055-012020

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO AFA FOR FIRE AND BURGLAR
ALARM MAINTENANCE AND REPAIR**

WHEREAS, AFA is our current vendor for Fire and Burglar alarm maintenance and repair for various buildings within Edison Township; and

WHEREAS, AFA PROTECTIVE SYSTEMS, 961 Joyce Kilmer Avenue, North Brunswick, NJ 08902 has exceeded \$17,500.00 and therefore needs authorization through 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 will exceed \$17,500.00 in aggregate in a twelve month period; 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 award, AFA PROTECTIVE SYSTEMS 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 AFA PROTECTIVE SYSTEMS from making any reportable contributions through the term of the contract; and

WHEREAS, the total amount of this contract, not to 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.

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 and any other necessary documents, with AFA PROTECTIVE SYSTEMS, 961 Joyce Kilmer Avenue, North Brunswick, NJ 08902, in amount not to exceed \$33,000.00 for fire and burglar alarm maintenance and repair as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-5 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.

RESOLUTION R.056-012020

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO TSUJ CORPORATION FOR
THE FURNISHING OF ELECTRICAL SERVICES**

WHEREAS, bids were received by the Township of Edison on January 7, 2020 for Public Bid No. 20-07-01- Electrical Services; and

WHEREAS, **TSUJ CORPORATION**, P.O. Box 4621, Wayne, NJ 07474, submitted the lowest legally responsible bid; and

WHEREAS, the initial contract shall be for one year from execution of the contract with the option to renew for the second and third years at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds for the second year and third years; and

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$175,000.00, and 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 by **TSUJ CORPORATION**, P.O. Box 4621, Wayne, NJ 07474 for Electrical Services is determined to be the lowest legally responsible bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$175,000.00 for the first year and any succeeding renewal year and any other necessary documents, with **TSUJ CORPORATION**.

RESOLUTION R.057-012020

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 STO0000389, to the following:

Permit Number: DEV-0139

Opening Location: 19 SYCAMORE AVE

Block/Lot: 106/69

Applicant's Name & Address:

**AARON CHENG
19 SYCAMORE AVE
EDISON NJ 08817**

Initial Deposit Date: 09/06/2019

Deposit Amount: \$2400.00

Paid by & refunded to:

**AARON CHENG
19 SYCAMORE 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.058-012020

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 STO0000358, to the following:

Permit Number: DEV-0105

Opening Location: 45 BARTHA AVE

Block/Lot: 905/16

Applicant's Name & Address:

**MILANO CONTRACTING
946 INMAN AVE
EDISON NJ 08820**

Initial Deposit Date: 06/06/2019

Deposit Amount: \$900.00

Paid by & refunded to:

**SP CONSTRUCTION & SON LLC
41 LARGO LN
CLARK, NJ 07066-2004**

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.059-012020

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 STO0000298, to the following:

Permit Number: DEV-0018

Opening Location: 65 UNION AVE

Block/Lot: 652/10

Applicant's Name & Address:

**DREAM BUILDERS
31 COLUMBUS AVE
NEW ROCHELLE, NY 10801**

Initial Deposit Date: 07/06/2018

Deposit Amount: \$300.00

Paid by & refunded to:

**GOLD STAR DEVELOPMENT, LLC
87 LONG HILL RD
LITTLE FALLS, NJ 07424-2308**

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.060-012020

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 STO0000343, to the following:

Permit Number: DEV-0087

Opening Location: 6 BERRUE CT

Block/Lot: 337.E/19

Applicant's Name & Address:

**A CUCCINELLO INC
30 CLEREMONT AVE
EDISON, NJ 08817-5438**

Initial Deposit Date: 04/05/2019

Deposit Amount: \$480.00

Paid by & refunded to:

**A CUCCINELLO INC
30 CLEREMONT AVE
EDISON, NJ 08817-5438**

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.061-0120120

RESOLUTION TO RELEASE AMUSEMENT DEVICE PERMIT FEE

WHEREAS, the Township Department of Public Works advises the following
Is the fee deposited for 2020 Amusement Device Permit; and

WHEREAS, notification has been received from Richie's Bar stating that they have issued the Check# 8601 for \$175.00 on 12/03/2019 to us initially, not knowing that the equipment lease company should be the one to issue the check to the Township of Edison for the 2020 Amusement Device 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 the Amusement device permit fee back to Richie's Bar, as the equipment lease company, Vaness Vending Inc., from Irvington, NJ has issued the Check#1422 for \$175.00 on 01/05/2020 for the 2020 Amusement Device Permit; for Richie's Bar. Please refund the fee amount from account# 9-01-08-104-000, to the following:

Permit Name: Amusement Device Permit

Location: 52 Vineyard Rd

Block/Lot: 1111/54

Applicant's Name & Address:

**SONDEK, INC.
RICHIE'S SPORTS BAR & LIQUORS
52 VINEYARD ROAD
EDISON, NJ 08817**

Initial Deposit Date: 12/04/2019

Deposit Amount: \$175.00

Paid by & refunded to:

**SONDEK, INC.
RICHIE'S SPORTS BAR & LIQUORS
52 VINEYARD ROAD
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.062-012020

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF EDISON AUTHORIZING AND APPROVING THE EDISON TOWNSHIP POLICE DEPARTMENT'S APPLICATION AND PARTICIPATION FOR ENROLLMENT IN THE LAW ENFORCEMENT SUPPORT OFFICE (LESO) 1033 PROGRAM.

WHEREAS, the Law Enforcement Support Office (LESO) facilitates a law enforcement support program, which originated from the National Defense Authorization Act of Fiscal Year 1997; and

WHEREAS, Federal law permits the Secretary of the United States Department of Defense to transfer to federal and state agencies personal property of the Department of Defense that the secretary determines is suitable for use by agencies in law enforcement activities; and

WHEREAS, informally known as the "1033 Program", this initiative allows local law enforcement agencies to obtain, at little or no cost, surplus federal property, including aircraft, vehicles, weapons and night vision equipment originally intended for use by the United States Armed Forces; and

WHEREAS, although equipment is provided through the 1033 Program at no cost to county and municipal law enforcement agencies, these entities are responsible for costs associated with the maintenance, fueling and upkeep of this equipment and for specialized training for its operation; and

WHEREAS, in this era of fiscal restraint, participation in the 1033 Program allows local units to obtain equipment that they might not otherwise be able to afford, and to prepare for, respond to, and recover from incidents of terrorism and natural disasters such as hurricanes, and severe floods; by complying with sections 2(a) and 2(b) of Senate bill no 2364; and

WHEREAS, it is in the best interest of the residents of the Township of Edison that the Edison Police Department apply and participate in the LESO 1033 Program.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Edison, County of Middlesex, and State of New Jersey that the Edison Township Chief of Police is hereby authorized and approved to apply, enroll and participate in the Law Enforcement Support Office 1033 Program.

RESOLUTION R.063-012020

EXPLANATION: A Resolution designating a redeveloper and authorizing execution of the Redevelopment Agreement with RC Realities North, LLC and S&R 123 So. Main St. Realities, LLC regarding the area in need of redevelopment known on the Township tax maps known as Block 198, Lots 23.E1, 27 and 28 (aka 900, 910, and 920 Route 1) and Block 199, Lots 16-R, 16-S, 16-T, 16-U, 16-V-2, 16-C-1, 16-D, 16-E-1, 16-F-1, 16-G-1, 17-D-1, 17-D-2 and 34 (aka 121 Main Street).

WHEREAS, the Municipal Council of the Township (the “**Municipal Council**”), pursuant to *N.J.S.A.* 40A:12A-6, authorized and directed the Planning Board of the Township (the “**Planning Board**”) by way of Resolution R.642-112018, adopted November 8, 2018, and later by Resolution R.700-112018 adopted December 12, 2018, to conduct a preliminary investigation of, amongst other parcels, the property more commonly known as Block 198, Lots 23.E1, 27 and 28 (aka 900, 910, and 920 Route 1) and Block 199, Lots 16-R, 16-S, 16-T, 16-U, 16-V-2, 16-C-1, 16-D, 16-E-1, 16-F-1, 16-G-1, 17-D-1, 17-D-2 and 34 (aka 121 Main Street) on the Township’s tax maps (the “**Study Area**”), and to determine whether those parcels met the criteria for a Non-Condensation Redevelopment Area, pursuant to Sections 5 and 6 of the Redevelopment Law; and

WHEREAS, on March 18, 2019, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Municipal Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on April 10, 2019, the Municipal Council adopted Resolution R.185-042019 which designated the Study Area as “an area in need of development” pursuant to the Redevelopment Law (the “**Redevelopment Area**”); and

WHEREAS, on September 9, 2019, the Municipal Council resolved to authorize and direct the Planning Board to review a redevelopment plan for the Redevelopment Area entitled “Ray Catena Automotive Properties Redevelopment Plan” (the “**Redevelopment Plan**”) and to make recommendations as required by *N.J.S.A.* 40A:12A-7(e) of the Redevelopment Law; and

WHEREAS, on September 16, 2019, the Planning Board reviewed the Redevelopment Plan and made comments to the Municipal Council concerning the Redevelopment Plan and recommended the adoption of same; and

WHEREAS, on October 7, 2019, the Municipal Council adopted Ordinance O. 2054-2019 by which it accepted the findings of the Planning Board and adopted, in accordance with the Redevelopment Law, the Redevelopment Plan for the Redevelopment Area; and

WHEREAS, pursuant to Section 4 of the Redevelopment Law, the Municipal Council is the redevelopment entity, as such term is defined at *N.J.S.A.* 40A:12A-3, for the Redevelopment Area, with full authority to exercise the powers contained in the Redevelopment Law to facilitate and implement the redevelopment of the Redevelopment Area; and

WHEREAS, RC Realities North, LLC and S&R 123 So. Main St. Realities, LLC (collectively, the “**Redeveloper**”) desires to be designated by the Township as the “redeveloper” (as such term is defined in the Redevelopment Law) for the Property, and has provided information evidencing financial responsibility and capability, concept plan and a construction schedule with respect to the development of: (i) construction of a 18,620

square foot addition to an existing 27,280 square foot 2-story Jaguar showroom on land more commonly known as Block 198, Lot 23-E-1 (also known as 920 US Route 1); (ii) construction of a 13,400 square foot addition to an existing 49,320 square foot 2-story Infiniti car showroom and service facility on land more commonly known as Block 198, Lot 27 (also known as 900 US Route 1); (iii) construction of a 37,600 square foot addition to an existing 64,800 square foot 2-story general showroom and service facility and construction of a 31,830 square foot addition to an existing 40,370 square foot 2-story Porsche car showroom and service facility on land more commonly known as Block 198, Lot 28 (also known as 910 US Route 1); (iv) Construction of a 3-story sales addition consisting of 15,610 square feet on the first floor, 26,870 square feet on the second floor, and 25,870 square feet on the third floor; and a 2-story service addition consisting of 11,075 square feet on the first floor and 11,075 square feet on the second floor to an existing 2-story auto sales service center all on property more commonly known as Block 199, Lots 27-A, 16-C-1, 16-E-1, 16-D, 16-G-1, 16-R, 16-S, 16-T, 16-U, 16-V-2, and 34 (also known as 123 South Main Street); and (v) renovation and construction of a 2,260 square foot addition to an existing 11,740 square foot 2-story preparation building; renovation and construction of a 6,300 square foot addition to an existing 10,100 square foot 2-story service bay building; and renovation of an existing 10,200 square foot 2-story car wash and preparation building on land more commonly known as Block 199, Lots 17-D-1 and Lots 17-D-2 (also known as 89 & 90 South Main Street); and

WHEREAS, Redeveloper is the owner of the Redevelopment Area; and

WHEREAS, the Township has determined that the Redeveloper meets all necessary criteria, including financial capabilities, experience, and expertise to implement and complete the rehabilitation of the Project in accordance with the Redevelopment Plan and all other applicable laws, ordinances and regulations; and

WHEREAS, the Township and Redeveloper have negotiated the terms and conditions of a redevelopment agreement governing the Redeveloper's redevelopment of the Project (the "**Redevelopment Agreement**"); and

WHEREAS, the Township has determined the Project to be in the vital and best interests of the Township, and that it promotes the health, safety, morals and welfare of the Township's residents; and

WHEREAS, the Township desires to designate the Redeveloper as the redeveloper of the Project and to authorize the execution of the Redevelopment Agreement.

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 authorizes the execution of a redevelopment agreement with the Redeveloper in substantially the form attached hereto as **Exhibit A** and by this reference incorporated herein.

Section 3. The Mayor is authorized to execute the Redevelopment Agreement with the Redeveloper in substantially the same form as the Redevelopment Agreement attached hereto, with such additions, deletions and modifications as the Mayor may determine necessary upon consultation with counsel and the Redeveloper.

Section 4. RC Realities North, LLC and S&R 123 So. Main St. Realities, LLC, is hereby, collectively, designated as the redeveloper of the Project, subject to the execution of the Redevelopment Agreement.

Section 5. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 6. A copy of this Resolution shall be filed and available for public inspection at the in the offices of the Township.

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.064-012020

EXPLANATION: Authorizing the Mayor to execute a Traffic Signal Agreement among the Township of Edison, BAPS Temple and the County of Middlesex for the installation of a pedestrian hybrid beacon along Woodbridge Avenue in the Township.

WHEREAS, a traffic condition exists along Woodbridge Avenue in the vicinity of the Benjamin Franklin Elementary School and the BAPS Temple (“**BAPS**”) in the Township of Edison (“**Township**”), in the County of Middlesex (the “**County**”), which requires the installation and operation of a pedestrian hybrid beacon, in accordance with the requirements of the Manual on Uniform Traffic Control Devices (“**MUTCD**”); and

WHEREAS, in discharge of their public duties pursuant to *N.J.S.A. 39:4-120.1*, the Township and the County, along with BAPS, desire to jointly provide for the installation of the pedestrian hybrid beacon, in accordance with the requirements set forth in the MUTCD, along Woodbridge Avenue in the vicinity of the Benjamin Franklin Elementary School and the BAPS Temple; and

WHEREAS, in consideration of the mutual and joint obligations proposed to be undertaken by the Township, the County and BAPS, the parties have proposed a form of Traffic Signal Agreement (“**Agreement**”) pertaining to the installation of said pedestrian hybrid beacon, a copy of which is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, 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. This Resolution shall take effect immediately.

IV. RESOLUTION R.065-012020

WHEREAS, it is the duty of the Municipal Council to appoint Member to the Zoning Board of Adjustment; and

WHEREAS, the Municipal Council has selected to re-appoint Philip C. Taglianetti, Sr. to be appointed to said Board.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Philip C. Taglianetti, Sr., 31 Warwick Road, Edison, NJ 08820 be and he is hereby re-appointed as a Member of the Zoning Board of Adjustment, said term to expire December 31, 2023.

V. RESOLUTION R.066-012020

WHEREAS, it is the duty of the Municipal Council to appoint 1ST Alternate Member to the Zoning Board of Adjustment; and

WHEREAS, the Municipal Council has selected Biral Patel to be appointed to said Board.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Biral Patel, 11 Stanley Place, Edison, NJ 08817 be and he is hereby appointed as 1ST Alternate Member of the Zoning Board of Adjustment, said term to expire December 31, 2020.

RESOLUTION R.067-012020

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 four 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 Investors Foundation has grant funds available, through its FY20 Community Grants Program for eligible programs, projects, activities and related costs of qualified organizations in the communities Investors Bank serves, 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 for a maximum request of \$8,500.00 from the Investors Foundation, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

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

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Investors Foundation as described in its application for said funds and in compliance with all applicable Investors Bank Foundation, Municipal, Middlesex County, New Jersey and United States 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 and Public Meeting on the evening of Wednesday, January 22, 2020.

RESOLUTION R.068-012020

EXPLANATION: This resolution provides for refund of Engineering Fees.

WHEREAS, on May 15, 2019 a Engineering fee was paid, check #572, Engineering SIP permit #2019-026, was posted in the total amount of \$250.00 by the homeowner, Jason Fan, residing at 32 Walnut Street, NJ 08817.

and **WHEREAS**, the permit fees were paid for but then was discovered the resident did not need the permit.

WHEREAS, the Township Engineer recommends the refund of the Engineering fee, on Permit # 2019-026 in the amount of \$250.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$250.00 on engineering permit fees posted by Jason Fan, be refunded to the resident;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$250.00 from the Refund of Revenue Fund to the owner, Jason Fan ,32 Walnut Street , Edison , NJ 08817.

RESOLUTION R.069-012020

EXPLANATION: Resolution releasing Performance Surety Bond NO. 106518210 for Conti Enterprises 2045 Lincoln Highway, Edison, NJ 08817

WHEREAS, Conti Enterprises 2045 Lincoln Highway, Edison , NJ 08817 , posted a **Performance Surety Bond NO. 106518210** posted on August 28,2017 of **The Travelers Casualty and Surety Company** in the amount of **\$ 33,847.20** posted by Conti Enterprises , having offices at 2045 Lincoln Highway, Edison, NJ 08817, to guarantee the installation of improvements for the project 2045 Lincoln Highway , Edison , NJ , 08817 which the applicant is not going forward .

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk hereby authorized to return the Performance Surety Bond **NO. 106518210** in the amount of **\$ 33,847.20** of Travelers Casualty and Surety Company to Conti Enterprises 2045 Lincoln Highway, NJ 08817 and also the Travelers Casualty and Surety Company.

RESOLUTION R.070-012020

WHEREAS, the Township Engineer advises that an inspection has been made of Edison Commerce Center located at Talmadge Road Rd Block: 22 and Lot(s): 5A,6A,11B-1,&12A-E, Application #**Z01-06/07**, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on December 6, 2016, **Wick Companies LLC. posted a Maintenance Bond Check # 5040 in the amount of \$ 39,906.72 on deposit in account # CP171207WI with the** Township of Edison, to guarantee the integrity of the site improvements with the Township of Edison. The maintenance period has elapsed with no defects developing; and

WHEREAS, the Township Engineer, recommends the release of the Maintenance Bond check # 5040 in the amount of **\$ 39, 906.72**, plus accrued interest, if applicable, principal being Wick Companies LLC. having offices at 100 Woodbridge Avenue , Woodbridge ,NJ 07095and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON Director of Finance hereby authorized to return the aforesaid Maintenance Bond in the amount of **\$39,906.72**, plus accrued interest, if applicable, to the applicant; and

BE IT FURTHER RESOLVED that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Maintenance Bond in the amount of \$ 39,906.72, plus accrued interest, if applicable, on deposit in account # **CP171207WI** to the applicant.