

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
MONDAY, NOVEMBER 9, 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 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **REPORTS FROM ALL COUNCIL COMMITTEES:**
5. **POINTS OF LIGHT**
6. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through November 5, 2020 (Resolution R.604-112020)
 - b. Resolution authorizing refund in the amount of \$33,689.13 for redemption of tax sale certificates (Resolution R.605-112020)
 - c. Corrective Action Plan (Resolution R.606-112020)
 - d. Resolution authorizing Change Order #1 to the Contract with Unicorn HRO for Human Resources and Payroll Information Database System(\$22,693.50) (Resolution R.607-112020)
7. **FROM THE DEPARTMENT OF HEALTH:**
 - a. Resolution accepting Governor's council on Alcoholism and Drug Abuse Fiscal Grant Cycle October 2020 – June 2025. (Resolution R.616-112020)
8. **FROM THE DEPARTMENT OF LAW:**
 - a. Resolution increases the budget for Legal Fees to be paid Apruzzese, McDermott, Mastro & Murphy, P.C. for its Professional Services as Township Special Labor Counsel (\$35,000.00) (Resolution R.613-112020)
 - b. Resolution authorizing the Township Planning Board to investigate whether the properties commonly known on the Township tax maps as Block 692.D, Lots 30.A, 31, 32, 33, 34, 35, 36, 37, 38, 39.A, and 40.B (a/k/a certain properties fronting U.S. Route 1 and Thomas Place) should be designated as an "area in need of redevelopment." (Resolution R.614-112020)
 - c. Resolution authorizing the execution of the Interlocal Health Service Contract between the Township and the County of Middlesex, for the County of Middlesex to provide a properly licensed Health Officer to the Township. (Resolution R.615-112020)

- d. An Ordinance modifying the parameters of the use and placement of Clothing Donation Bins within the Township of Edison (O.2087-2020)

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

- a. Resolution awarding Contract/Purchase Order for Nineteen (19) Microsoft Surface Pro's for the Engineering and Code Enforcement Offices (\$26,140.77) (Resolution R.608-112020)
- b. Resolution provides refund of the Construction Permit for a Senior Citizen (Resolution R.610-112020)
- c. Grant application submission for the NJ DOT Transportation Alternatives Set-Aside fund (Resolution R.617-112020)
- d. Grant application submission for the NJ DOT Local Freight Impact Fund (Resolution R.618-112020)

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

- a. Resolution awarding reimbursement to various over 50 Men's Fall Softball teams for ending the Season in Good Standing (\$300.00) (Resolution R.609-112020)

11. **FROM THE TOWNSHIP CLERK:**

- a. Resolution changing name of Professional Services Award from Susan Schleck Kleiner of the Law Firm Vella Singer and Kleiner, P.C. to Susan Schleck Kleiner of the Law Firm Santomassimo Davis LLP (Resolution R.611-112020)
- b. Resolution approving the Liquor License #1205-44-071-002 from Pocket to Place to Place (Resolution R.612-112020)

12. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**

13. **UNFINISHED BUSINESS:**

ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND FINAL ADOPTION:

O.2086-2020 AN ORDINANCE THAT AMENDS THE GENERAL POWERS AND DUTIES OF THE POSITION OF MAYOR TO MAKE SAID OFFICE A FULL TIME POSITION

14. **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.

15. **COUNCIL PRESIDENT'S REMARKS**

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

**O.2086-2020 AN ORDINANCE THAT AMENDS THE GENERAL
POWERS AND DUTIES OF THE POSITION OF MAYOR TO
MAKE SAID OFFICE A FULL TIME POSITION**

17. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR MONDAY,
NOVEMBER 23, 2020.**

**O.2087-2020 AN ORDINANCE MODIFYING THE PARAMETERS OF
THE USE AND PLACEMENT OF CLOTHING DONATION
BINS WITHIN THE TOWNSHIP OF EDISON**

18. **PUBLIC COMMENT ON THE RESOLUTIONS**

19. **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.604-112020 Resolution approving disbursements for the period ending November 5, 2020.

R.605-112020 Resolution authorizing refund in the amount of \$33,689.13 for redemption of tax sale certificates.

R.606-112020 Corrective Action Plan

- R.607-112020 Resolution authorizing Change Order #1 to the Contract with Unicorn HRO for Human Resources and Payroll Information Database System in the amount of \$22,693.50.
- R.608-112020 Resolution awarding Contract/Purchase Order for Nineteen (19) Microsoft Surface Pro's for the Engineering and Code Enforcement Offices in the amount of \$26,140.77.
- R.609-112020 Resolution awarding reimbursement to various over 50 Men's Fall Softball teams for ending the Season in Good Standing, totaling \$300.00.
- R.610-112020 Resolution provides refund of the Construction Permit for a Senior Citizen for 3 Janina Avenue.
- R.611-112020 Resolution changing name of Professional Services Award from Susan Schleck Kleiner of the Law Firm Vella Singer and Kleiner, P.C. to Susan Schleck Kleiner of the Law Fire Santomassimo Davis LLP.
- R.612-112020 Resolution approving the Liquor License #1205-44-071-002 from Pocket to Place to Place, Shreeji 19, Inc., 1826A Route 27 & 269 Plainfield Avenue.
- R.613-112020 Resolution increases the budget for Legal Fees to be paid Apruzzese, McDermott, Mastro & Murphy, P.C. for its Professional Services as Township Special Labor Counsel not to exceed \$35,000.00.
- R.614-112020 Resolution authorizing the Township Planning Board to investigate whether the properties commonly known on the Township tax maps as Block 692.D, Lots 30.A, 31, 32, 33, 34, 35, 36, 37, 38, 39.A, and 40.B (a/k/a certain properties fronting U.S. Route 1 and Thomas Place) should be designated as an "area in need of redevelopment."
- R.615-112020 Resolution authorizing the execution of the Interlocal Health Service Contract between the Township and the County of Middlesex, for the County of Middlesex to provide a properly licensed Health Officer to the Township.
- R.616-112020 Resolution accepting Governor's council on Alcoholism and Drug Abuse Fiscal Grant Cycle October 2020 – June 2025.
- R.617-112020 Grant application submission for the NJ DOT Transportation Alternatives Set-Aside fund.
- R.618-112020 Grant application submission for the NJ DOT Local Freight Impact Fund.

20. **ORAL PETITIONS AND REMARKS**

21. **ADJOURNMENT**

ORDINANCE O.2086-2020

EXPLANATION: AN ORDINANCE THAT AMENDS THE GENERAL POWERS AND DUTIES OF THE POSITION OF MAYOR TO MAKE SAID OFFICE A FULL-TIME POSITION

WHEREAS, the Edison Municipal Council recognizes that the position of Mayor is presently a part-time position with a maximum salary of \$50,000.00; and

WHEREAS, since the establishment of the position of Mayor as a part-time position, the Township of Edison now requires a Mayor with full-time responsibilities, including, without limitation, with respect to the Township's oversight of health and public safety, finances, operation of a water utility authority, the development of a comprehensive economic development plan, and code enforcement; and

WHEREAS, the Edison Municipal Council hereby recommends the establishment of a fulltime Mayor's position recognizing the increased demands and responsibilities that fall on the Mayor's position; and

WHEREAS, the Edison Municipal Council recognizes the need to create the position of fulltime Mayor

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

SECTION 1: The following sections of Chapter 2 entitled "Administration" are hereby amended as follows and that those portions of the Ordinances not set forth below shall remain unchanged:

2.1-1

The Mayor, as the [full-time] chief executive officer of the Township, shall have the power and duty to supervise the administration of the Charter and ordinances of the Township and the general laws applicable thereto. He or she shall have such powers of appointment and removal as are provided by Charter or general law. He or she shall have the power to appoint, with the advice and consent of the Council, to all offices where no other provision is made for such appointment; it being the intent and purpose of this provision, in order to control spending, that the Mayor shall obtain the advice of the Council and consent to appoint, hire or retain any supervisory or managerial employee whose salary, wages, and other compensation equals or exceeds fifty thousand (\$50,000.00) dollars. He or she shall assign or approve the assignment of space in public buildings and other public places for the temporary or permanent use of any department, agency, body, officer or instrumentality and shall, through the Business Administrator, control the assignment, allocation and use of furniture, equipment or other public property in the Township government. He or she may assign and reassign, transfer and retransfer, from time to time, either temporarily or permanently, any property or personnel from one function to another or from one administrative unit to another as the management of the Township

government may require, subject to the express requirements of the Charter and all other applicable general laws. This section shall not, however, apply to the Council or Township Clerk.

2-1.6

[Effective January 1, 2022, the position of Mayor shall be a full time - with full time benefits and salary of one hundred thirty-five thousand dollars (\$135,000)]

SECTION 2. All remaining positions and salaries of the Township's Salary Ordinance remain the same,

SECTION 3. All ordinances of the Township Of Edison which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency,

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage and publication as required by law.

ORDINANCE O.2087-2020

EXPLANATION: An Ordinance modifying the parameters of the use and placement of Clothing Donation Bins within the Township of Edison.

**AN ORDINANCE SUPPLEMENTING AND AMENDING
CHAPTER 11-36 ENTITLED "CLOTHING DONATION BINS"**

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

Section I. Chapter 11-36 entitled "Clothing Donation Bins" is hereby modified and amended to read as follows (new text **underlined**; deleted text **[bracketed]**):

§ 11-36.1 Regulations.

[Ord. No. O.1982-2017; Ord. No. O.2014-2018]

Notwithstanding any other provision to the contrary, no person shall place, use or employ a textile donation bin, for solicitation purposes, unless all requirements of this Chapter are met.

[Textile recycling bins currently located on Township property including Edison parkland, libraries, community centers, schools and public works properties are exempt from this section provided the owner of the bin has received permission from the Township Zoning Department.] No textile recycling bin will be allowed on Township land without prior authorization from the Township BA, which shall have sole discretion in approving **the two (2) areas on Township owned property on which bins shall be allowed, and overseeing the procurement, by competitive bid, and award of agreements for the use of those two (2) designated areas, for a one year term at a time.** [issuance of permits and locations of such bins.] Any person or charity not given [previous] approved authorization or that does not adhere to the other provisions of this zoning permit in this section will be subject to the regulations in this section. The Township will provide a color-coded zoning permit with respect to such approval. [specific for those with prior approvals. **Textile recycling bins located on state or federal owned property are exempt from this section but are still required to provide tonnage reports yearly.**]

a. The textile donation bin must be owned by a non-profit, I.R.C. 501 (c) (3) charitable organization registered with the Attorney General of the State of New Jersey pursuant to P.L. 1994, c. 16; and

1. The textile donation bin is defined as any receptacle or container made of metal, steel, or other material designed or intended for the collection and temporary storage of donated clothing or other materials.

2. **[Notwithstanding the approved textile donation bins currently located on Township property,]** [t]The Zoning Department shall limit the amount of permits issued for such bins to 4, with no individual organization eligible to receive more than 4 of the available permits.

3. A textile donation bin must be similar in size or smaller than a refrigerator box, or any container smaller than 45 x 45 by 80 inches.

4. All textile donation bins must be properly secured and maintained, with no items affixed or attached to the bin except for the identification materials required by paragraphs b, 5(a) through (e) below.

[5. No textile donation bin shall be located within one (1) square mile of any other such bin.]

b. The registered charitable organization or the person has obtained a zoning permit valid for a period of one (1) year, from the Zoning Department in accordance with the following:

1. In applying for such a zoning permit, the registered charitable organization or person shall include:

(a) The location where the bin would be situated, **[as precisely as possible;] all in conformance with a site plan conforming to the requirements of applicable law.**

(b) The manner in which the charitable organization or person anticipates any clothing or other donations collected via the bin would be used, sold or dispersed, and the method by which the proceeds of collected donations would be allocated or spent;

(c) The name and telephone number of the bona fide office of the applicant and of any entity which may share or profit from any clothing or other donations collected via the bin;

(d) The schedule of pickups removing the articles from the bins, which can be no less often than once per **[week] day**, and the name and telephone number of the person to be notified if the bin is overflowing prior to the scheduled date of pickup;

(e) Written consent from the property owner, or the owner's authorized representative, to place the bin on his/her property.

(f) The owners of textile clothing bins in the Township of Edison, NJ must provide annual tonnage reports, with information sufficient to support these reports, to the Township of Edison. Collectors must provide annual tonnage reports as required by the New Jersey Statewide Mandatory Source Separation and Recycling Act. (N.J.S.A. 13:1E-99.16), which mandates the governing body of each municipality to submit an annual Recycling Tonnage Report summarizing the amount of material recycled during the previous year.

(g) All charities must provide liability insurance, insurance for all vehicles and a valid driver's license for any driver servicing the textile recycling bins. Valid policies must be presented for any drivers for the charity providing pickup services. Additionally, background checks for any charities, their employees, or drivers must be done within one year of the permit being issued.

(h) All non-profit charitable organizations must provide at no cost tax-deductible receipts for any person or family that has donated to the charity and requests it. The receipt should include all necessary tax identification numbers and the name and address of the charity in accordance with Internal Revenue Code (IRC) regulations.

(i) No garbage or waste of any kind is allowed to be left outside of textile recycling bins. The charitable organization or owner, once notified, must address overflowing bins and rectify problem. Charity must address dumping any waste within 10 feet of their bins within 72 hours of notification by the Township, after which they will be subject to dumping or littering fines. Before a complaint can be filed, there must be a good faith attempt to reach the charity or their agent and give them 72 hours to correct the problem.

2. The Zoning Department shall not grant an application for a zoning permit to place, use, or employ a donation clothing bin if it determines that the placement of the bin is either in the front yard **[setback]** or could constitute a safety hazard. Such hazards shall include, but are not limited to, the placement of a donation clothing bin in handicapped parking spaces, in any area that interferes with pedestrian or vehicular traffic, or on top of or within 20 feet to large amounts of fuel or other flammable liquids or gases.

3. The fee for such application for the zoning permit shall be twenty-five (\$25.00) dollars. Charitable organizations as defined by I.R.C. 501(c) (3) non-profit organization can receive a waiver of the fee provided they provide proof of their federal tax exempt status. Twenty-five (25%) percent of each fee collected for permits on private property shall be dedicated to the Township's Capital Expenditure Account.

4. An expiring zoning permit for a donation clothing bin may be renewed by a charitable organization or person upon payment of the twenty-five (\$25.00) dollar renewal fee, twenty-five (25%) percent of which will be dedicated in accordance with paragraph b 3 above, or approval of fee waiver, and by application that shall include the following information:

(a) The location where the bin is situated, **[as precisely as possible] all in conformance with a site plan conforming to the requirements of applicable law**, and, if applicant intends to move it, the new location where the bin would be situated after the renewal is granted;

(b) The manner in which the person has used, sold or dispersed any clothing or other donations collected via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the person anticipates it may make in these processes during the period covered by the renewal;

(c) The name, and telephone number of the bona fide office of the applicant and any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal;

(d) The schedule of pickups removing the articles from the bins, which can be no less often than once per week, and the name and telephone number of the person to be notified if the bin is overflowing prior to the date of pickup; and

(e) Written consent from the property owner or the owner's authorized representative, to place the bin on his/her property.

5. The following information shall be clearly and conspicuously affixed to the exterior of the donation clothing bin by means of white paint, or a single vinyl sticker or protective water-resistant sleeve:

(a) The name and address of the registered charitable organization or person that owns the bin, and of any other entity which may share or profit from any clothing or other donations collected via the bin;

(b) The telephone number of the organization's bona fide office and, if applicable, the telephone number of the bona fide office of any other entity which may share or profit from any clothing or other donations collected via the bin. The telephone number of an answering machine or service unrelated to the charitable organization does not satisfy this requirement; and

(c) The charitable organization's registration number, permit number and its date of expiration.

(d) In cases when any entity other than the person who owns the bin may share or profit from any clothing or other donations collected via the bin, a notice, written in a clear and easily understandable manner, indicating that clothing or other donations collected via the bin, their proceeds, or both, may be shared, or given entirely to, an entity other than the person who owns the bin, and identifying all such entities which may share or profit from such donations; and

(e) A statement, indicating the manner in which the charitable organization or person anticipates any clothing or other donations collected via the bin would be used, sold or dispersed, and the method by which the proceeds of collected donations would be allocated or spent.

c. The Division of Planning and Zoning shall receive and investigate, within **[forty-five (45)] four (4)** days, any complaints from the public about the bin.

1. Whenever it appears to the Township that an organization or a person has engaged in or is engaging in any act or practice in violation of this section, the organization or person who placed the bin shall be issued a warning, stating that if the violation is not rectified or an appeal taken within fifteen (15) days, then the bin, any clothing or other donations collected via the bin will be sold at public auction. In addition to any other means used to notify the person who placed the bin, a warning shall be affixed to the exterior of the bin itself.

2. In the event that the person who placed the bin does not rectify the violation or request a hearing within fifteen (15) days of the posting of the warning, the Township may seize the bin, remove it or have it removed, at the expense of the person who placed the bin, and sell it at public auction or otherwise dispose of any clothing or other donations collected via the bin. Any proceeds from the sale of the donations collected via the bin shall be paid to the Township.

3. In addition to any other penalties or remedies under this section, any person who violates any provision which results in the seizure of the donation clothing bin shall be subject to a penalty of up to one hundred (\$100.00) dollars for each violation[.], **and/or fifteen (15) days community service.**

d. Closing bins shall be permitted on all Board of Education properties. Said clothing bins must comply with all other provisions delineated in Section **11-36** of the Township Code.

Section II. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of the Ordinance shall be deemed valid and effective.

Section III. This Ordinance shall take effect upon final passage and publication according to law, **provided however, that this Ordinance shall not have any effect upon any current contract with the Township of Edison with respect to any bin currently located on Township property, until the expiration thereof.**

RESOLUTION R.604-112020

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING NOVEMBER 5, 2020.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, November 5, 2020

FUND	AMOUNT
Current	\$4,633,914.87
Affordable Housing	0.00
Capital	1,409,607.17
Cash Performance	0.00
CDBG	0.00
Developers Escrow	39,681.98
Dog (Animal Control)	17,516.50
Federal Forfeited	0.00
Grant Funds	9,016.00
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	456,133.85
Sanitation Fund	118,697.16
Self Insurance	0.00
Sewer Utility	101,829.95
Tax Sale Redemption	3,538.10
Tree Fund	0.00
Tree Planting	0.00
Trust	655,901.87
Edison Water Utility	604,416.62
Edison Landfill Closure Trust	0.00
TOTAL	\$8,050,254.07

/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.605 -112020

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 **\$33,689.13**.

RESOLUTION R. 606-112020

TOWNSHIP OF EDISON

CORRECTIVE ACTION PLAN FOR THE 2019 AUDIT REPORT

***Recommendation #1:**

Description: That the Township reviews its policy with regards to adequately budgeting the appropriate amount for employee health benefits.

Analysis: The Township self-insures its health benefit programs which are administered by third parties. The Township also maintains an additional reserve fund in the event current budget year appropriations do not adequately cover claims liability.

Corrective Action: Absent state-imposed health benefits cost reforms, the Township needs to increase reserves and appropriations funding employee and retiree health benefits.

Implementation Date: Funding and Reserve levels will continue to be closely monitored. Additional funding will be requested for the 2021 Municipal Budget.

***Recommendation #2:**

Description: That the use of confirming (purchase) orders for procurement cease.

Analysis: Confirming orders is when a commitment to purchase is made by an employee prior to submission of a requisition and which subverts the controls and review processes.

Corrective Action: Departments have been repeatedly counseled on this matter. The Township Administrator will underscore the importance of ceasing confirming orders at the next Directors Meeting.

Implementation Date: New procedures have been implemented to reduce the number of incidents where confirming orders are issued. This involves close coordination between the Accounts Payable and Purchasing offices.

***Recommendation #3:**

Description: That the Police and Fire divisions report their “official” records of sick and vacation days to the Human Resources office in order to have all records in a central location and to be integrated into the financial/human resources module (Edmunds) software.

Analysis: The Police Department utilizes a special program to set schedules and manage attendance (Police Officer Scheduling System – POSS) which has not been integrated into the Edmunds module. The Fire Department maintains their own original records.

Corrective Action: Effective January 1, 2021 the Township will be implementing Unicorn HRO platform for processing payroll and managing human resource functions. Time and Attendance units have been placed in each Fire House and the information from the Police POSS system is being integrated into Unicorn HRO.

Implementation Date: This new system launch date is scheduled for January 1, 2021.

Nicholas Fargo, CMFO
Chief Financial Officer

RESOLUTION R.607-112020

**RESOLUTION AUTHORIZING CHANGE ORDER # 1 TO THE CONTRACT WITH UNICORN HRO
FOR HUMAN RESOURCES AND PAYROLL INFORMATION DATABASE SYSTEM**

WHEREAS, Resolution R. 423-082018 authorized Contract No. 18-10-20 with Unicorn HRO, 25 B Hanover Rd., Florham Park, NJ 07932, for Human Resources and Payroll Information Database System in the amount of \$447,462.00 for the first year and \$258,712.00 for each renewal year; and

WHEREAS, the Township now wishes to enhance the System, with the addition of a FTE Position Control module that will enable the creation of a unique alphanumeric code (ID) for each authorized position in the budget identifying the specific department/division in which the position resides, with the history of all employees associated with the position, including name and number, title, salary, labor union, and all personnel actions, with relevant action dates, that have occurred within the position over time; and

WHEREAS, Unicorn HRO has proposed a Service Agreement, to perform the programming and creation of a custom database that will add the capability for the Township to track values, both current and historically, for budgeted salaries for each position established in the Unicorn Payroll Database; and

WHEREAS, Unicorn HRO has submitted a proposal to provide these services for the price of \$22,693.50 and yearly maintenance of \$2,723.22 to commence one year from project completion; and

WHEREAS, funds in the amount of \$22,693.50 have been certified to be available in the Payroll-Other Contractual Items Account, No. 0-01-20-0130-003-029; and funds for maintenance shall be available subject to and contingent upon adoption of temporary and/or permanent budgets for those years.

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

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, that Change Order #1 to the contract with Unicorn HRO, 25 B Hanover Rd., Florham Park, NJ 07932 is hereby authorized in the amount of \$22,693.50.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$22,693.50** are available for the above in Account No **0-01-20-0130-003-029**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.608-112020

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW-GOVERNMENT FOR THE PURCHASE OF NINETEEN (19) MICROSOFT SURFACE PRO'S WITH SERVICE AGREEMENTS THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE ENGINEERING DEPARTMENT AND CODE ENFORCEMENT OFFICE

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

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

WHEREAS, there is a need to purchase nineteen (19) Microsoft Surface Pro's with service agreements for the Engineering Department and Code Enforcement Office; and

WHEREAS, CDW-GOVERNMENT, 230 North Milwaukee Ave., Vernon Hills, IL 60061, has been awarded Contract # ESCNJ 18/19-03 Technology Supplies and Services for this purchase; and

WHEREAS, the Township intends to purchase the Microsoft Surface Pro's with service agreements in the total amount of \$26,140.77 (\$1,126.86 each for the Microsoft Surface Pro with keyboard and case, \$248.97 each for the extended service agreement); and

WHEREAS, funds in the amount of \$26,140.77 have been certified to be available in the Const. Enf. Agcy. Computer Hardware & Software Account, No. 0-01-22-0195-000-059; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$26,140.77, and any other necessary documents, with CDW-GOVERNMENT, the approved Educational Services Commission of New Jersey vendor through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$26,140.77** are available for the above in Account No. **0-01-22-0195-000-059**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.609-112020

**RESOLUTION AWARDING REIMBURSEMENT TO VARIOUS OVER 50 MEN'S FALL SOFTBALL
TEAMS
FOR ENDING THE SEASON IN GOOD STANDING**

WHEREAS, there exists an ordinance for sports teams to pay entrance fees prior to playing in Edison Township's Recreation leagues.

WHEREAS, the ordinance further states that a "Good Standing Refund" in the amount of \$75.00 shall be made payable to each softball team finishing the season in good standing with the league, and

WHEREAS, fees in the amount of \$300.00 have been certified to be available in the Township Trust Account, Number T-13-00-0000-000-014.

WHEREAS, the below listed adult softball teams eligible for a good standing refund are as follows:

<u>REFUND NAME</u>	<u>TEAM</u>
Nick Mennona	Finance of America
John Garced	Preferred Freezer
VanDemark Plumbing & Heating	Plumbers
Tim Mulhall	FF & N

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison that authorization be given to release said funds to these teams.

CERTIFICATION

I hereby certify that funds in the amount of \$300.00 are available for the above teams in Account No.T-13-00-1000-000-048.

RESOLUTION R.610-112020

EXPLANATION: This resolution provides refund of the construction permit fee, posted for a senior who resides at 3 Janina Ave who had a Tank Removal by Quick Environmental

WHEREAS, on September 9th, 2020, a permit was paid for #2020-2841 was paid for in the Amount of \$200.00 by Quick Environmental, Having offices at 61 Cunningham Ave, Trenton, NJ 08610;

WHEREAS, the application was submitted for Tank Removal at 3 Janina Ave, Edison NJ 08820, Resident is a senior and charges are waived for this type of permit. Contractor paid for permit on check 12662 in the amount of \$200.00 on September 9th, 2020

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was paid for and it is appropriate that the permit fee be refunded to Quick Environmental, in the amount of \$200.00 for the total refund fee. Total amount to be refunded is \$200.00. This shall be refunded to the contractor, Quick Environmental, having offices at, 61 Cunningham Avenue, Trenton, NJ 08610

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$200.00 on construction permit fees posted by Quick Environmental, Having offices at 61 Cunningham Ave, Trenton NJ 08610

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$200.00 from the Refund of Revenue Fund to the Contractor Quick Environmental 61 Cunningham Avenue, Trenton, NJ 08610

RESOLUTION R.611-112020

RESOLUTION CHANGING NAME OF PROFESSIONAL SERVICES AWARD FROM SUSAN SCHLECK KLEINER OF THE LAW FIRM VELLA SINGER AND KLEINER, P.C. TO SUSAN SCHLECK KLEINER OF THE LAW FIRM SANTOMASSIMO DAVIS LLP

WHEREAS, Resolution #R.525-092020 awarded a Professional Services Contract in the amount of \$25,000.00 to Susan Schleck Kleiner of the Law Firm Vella Singer and Kleiner, P.C. to provide professional legal services to the Municipal Council in connection with the Committee of the Whole created on September 9, 2020; and

WHEREAS, Susan Schleck Kleiner has since changed law firms and will now be at the law firm of Santomassimo Davis LLP, 33 Wood Avenue, South, Suite 600, Iselin, NJ 08830; and

WHEREAS, of the \$25,000.00 awarded; \$1,732.50 will be charged and payable to Susan Schleck Kleiner of the Law Firm Vella Singer and Kleiner, P.C and the balance of \$23,267.50 will be charged and payable to Susan Schleck Kleiner of the Law Firm Santomassimo Davis LLP.

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison the Mayor, or his designee, shall make revisions as described herein.

RESOLUTION R.612-112020

EXPLANATION: A Resolution authorizing and approving the Place-to-Place transfer of the Plenary Retail Distribution License held by Shreeji19,Inc. (POCKET) d/b/a Dring Ling to premises located at 1826 A Route 27 (front store) & 269 Plainfield Avenue (back store)

WHEREAS, an application has been filed with the Township of Edison for a Place-to-Place transfer of a Plenary Retail Distribution Liquor License, No. 1205-44-071-002, issued to Shreeji19, Inc. d/b/a Dring Ling (“Applicant”) from the Applicant (Pocket status) new business location at 1826A Route 27 & 269 Plainfield Avenue, Edison; and

WHEREAS, public notice of this transfer has been published in **THE HOME NEWS TRIBUNE**, a New Jersey publication, in accordance with law; and

WHEREAS, no legally valid objections have been received nor made as to why this transfer should not be granted to the Applicant; and

WHEREAS, the Applicant’s submitted application form is complete in all respects, the applicable transfer fees have been paid and the respective liquor license has been properly renewed for the current license term.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Entity’s application for a Place-to-Place transfer of Plenary Retail Distribution Liquor License No. 1205-44-071-002 as to business premises now to be located at 1826 A Route 27 & 269 Plainfield Avenue, Edison is hereby granted, effective immediately.
3. The Township Clerk is hereby directed to endorse the Applicant’s current license certificate as follows: “This license, subject to all of its terms and conditions, is hereby transferred to premises located at 1826 A Route 27 & 269 Plainfield Avenue.”
4. This Resolution shall take effect immediately.

RESOLUTION R.613-112020

EXPLANATION: This Resolution increases the budget for legal fees to be paid Apruzzese, McDermott, Mastro & Murphy, P.C. for its professional services as Township Special Labor Counsel.

WHEREAS, the Municipal Council (“**Municipal Council**”) of the Township of Edison (“**Township**”) has entered a professional services contract (“**Contract**”) with Apruzzese, McDermott, Mastro & Murphy, P.C. (“**Special Labor Counsel**”) to act as the Township’s special labor counsel for the term of one (1) year, pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, the Resolution of the Municipal Council approving the Contract established a budget for legal services for calendar year 2020; and

WHEREAS, on July 22, 2020, the Municipal Council, pursuant to R.344-072020, increased the amount available for legal services by an additional amount not to exceed \$25,000.00, and authorized the payment to Special Labor Counsel for legal services under the Contract; and

WHEREAS, on September 23, 2020, the Municipal Council, pursuant to R.499-092020, increased the amount available for legal services by an additional amount not to exceed \$45,000.00, and authorized the payment to Special Labor Counsel for legal services under the Contract; and

WHEREAS, the Municipal Council finds that the services provided under the Contract are important to the Township and that Special Labor Counsel was required to commit more time to the performance of its legal services than initially expected; and

WHEREAS, the Municipal Council desires to increase the amount available for legal services by an additional amount not to exceed \$35,000.00 and authorizes the payment to Special Labor Counsel for legal services under the Contract.

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.
2. The Budgeted Amount to be paid Special Labor Counsel for its legal services pursuant to the terms of the Contract is hereby increased by an amount not to exceed \$35,000.00. The Chief Financial Officer or his designee is hereby authorized to make payments to Special Labor Counsel under the Contract up to said amount.
3. The Mayor is hereby authorized to execute any amendments to the Contract to memorialize the increase of the Budgeted Amount, as may be required, in a form acceptable to the Township Attorney.
4. A certificate showing the availability of funds for the Contract will be provided by the Chief Financial Officer of the Township and is incorporated herein by reference indicating that the appropriation for the within expenditure is charged to the applicable accounts.
5. A copy of this Resolution and the Contract, and any amendments thereto, shall be available for public inspection at the offices of the Township Clerk.
6. This resolution shall take effect immediately.

RESOLUTION R.614-112020

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the properties commonly known on the Township tax maps as Block 692.D, Lots 30.A, 31, 32, 33, 34, 35, 36, 37, 38, 39.A, and 40.B (a/k/a certain properties fronting U.S. Route 1 and Thomas Place) should be designated as an “area in need of redevelopment.”

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

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

WHEREAS, the Municipal Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the properties commonly known on the Township tax maps as Block 692.D, Lots 30.A, 31, 32, 33, 34, 35, 36, 37, 38, 39.A, and 40.B (a/k/a certain properties fronting U.S. Route 1 and Thomas Place) (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

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

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

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

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

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

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

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

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Municipal Council as to whether the Municipal Council should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.615-112020

EXPLANATION: A Resolution authorizing the execution of the Interlocal Health Service Contract between the Township and the County of Middlesex, for the County of Middlesex to provide a properly licensed Health Officer to the Township.

WHEREAS, the Township of Edison (the “**Township**”) is a municipal corporation of the State of New Jersey, and is 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, the Middlesex County Office of Health Services (the “**County Office of Health Services**”) provides an array of public health services; and

WHEREAS, the Township is desirous of entering into a contract with the County Office of Health Services pursuant to the Shared Services Act, for health services of a technical and professional nature (the “**Contract**”), as more fully described and set forth in the Contract attached hereto as **Exhibit A**; and

WHEREAS, the County Office of Health Services shall provide properly licensed personnel within the territorial jurisdiction of the Township, specifically, the Director of the County Office of Health Services shall serve as the Township Health Officer, and will carry-out the enforcement of the local health ordinances and law, rules and regulations of the New Jersey Department of Health, for a period of two (2) years, from January 1, 2021 through December 31, 2022, or upon written notice by either party desiring to terminate the Contract, such notice being given no later than thirty (30) days prior to termination of the contract; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) seeks to hereby authorize the Township’s entering and execution of the Contract.

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

Section 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.

Section 2. The form of the Contract is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor 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 Contract on behalf of the Township. A copy of this Resolution and the executed Agreement shall be maintained on file with the Township Clerk.

Section 3. The Township Clerk is hereby instructed to forward a copy of the signed Agreement to the Middlesex County Director-Health Officer, so that the Middlesex County Director-Health Officer may request a formal resolution from the Middlesex County Board of Chosen Freeholders in order to memorialize the Contract.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.616-112020

FORM 1B

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township of Edison Council, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township of Edison Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township of Edison Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED by the Township of Edison, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Township of Edison Council does hereby authorize submission of a strategic plan for the Edison Municipal Alliance grant for fiscal year 2022 (07/1/21-6/30/22) in the amount of:

DEDR	\$35,415.00
Cash Match	\$8,853.75
In-Kind	\$26,561.25

2. The Township of Edison Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Thomas Lankey, Mayor/Head of Governing Body

CERTIFICATION

I, Cheryl Russomanno, Municipal Clerk of the Township of Edison of, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township of Edison Council on this 9th day of November, 2020.

Cheryl Russomanno, Municipal Clerk

RESOLUTION R.617-112020

EXPLANATION: Resolution approving the submission of a FY2021 New Jersey Department of Transportation – Local Freight Impact Fund (LFIF) grant application and the execution of a grant agreement for the King Georges Post Road Rehabilitation Project.

WHEREAS, the Township of Edison wishes to apply for and obtain funding through the FY2021 New Jersey Department of Transportation – Local Freight Impact Fund grant application for the completion of the King Georges Post Road Rehabilitation Project;

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Edison do hereby authorize the submission of such a grant application, for the said project, titled LFIF-2021- King Georges Post Road Rehabilitation Project-00042;

BE IT FURTHER RESOLVED, that upon the receipt of a grant award the Mayor and Township Clerk are hereby authorized to sign the grant agreement and that their signatures constitute acceptance of the terms and conditions of the grant agreement;

RESOLUTION R.618-112020

EXPLANATION: Resolution Authorizing the Submission of an Application to the New Jersey Department of Transportation's Transportation Alternatives Set-Aside Program (TAP)

WHEREAS, the FY2020 Transportation Alternatives Program ("Program") provides federal funds for community-based "non-traditional" projects designed to strengthen the cultural, aesthetic, and environmental aspects of the nation's intermodal system; and

WHEREAS, the FY2020 Program is being administered by the New Jersey Department of Transportation; and

WHEREAS, the maximum amount of grant funds available is \$1 million, and no municipal matching funds are required; and

WHEREAS, the Township of Edison wishes to apply for these grant funds in an amount not to exceed \$1 million for the completion of a _____ Project;

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

- A. The Mayor and Council of the Township of Edison, in the County of Middlesex, State of New Jersey, formally authorize the Mayor to submit an electronic grant application identified as TA-2020-_____-00117 to the New Jersey Department of Transportation for funding under the Transportation Alternatives Program on behalf of the Township of Edison.
- B. The Township of Edison will assume maintenance responsibility over all improvements completed with grant funding awarded under the FY2020 Transportation Alternatives Program; and,
- C. In accordance with 23 CFR 635.105(a) (4), the Township of Edison is designating **Maureen Ruane** as the responsible charge for this program. **Maureen Ruane** is a full-time employee of the Township of Edison in the role of **Township Manager** and will be the responsible charge for the proposed Federal-aid construction project.
- D. This resolution shall take effect immediately upon passage.