

**AGENDA  
MUNICIPAL COUNCIL  
COMBINED MEETING  
MONDAY, DECEMBER 23, 2019  
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 and the Sentinel on December 1, 2018 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **REVIEW OF MINUTES:**
  - a. Combined Meeting of November 13, 2019
  - b. Combined Meeting of November 25, 2019
5. **REPORTS FROM ALL COUNCIL COMMITTEES:**
6. **POINTS OF LIGHT**
7. **FROM THE BUSINESS ADMINISTRATOR:**
  - a. Resolutions authorizing the Township Of Edison to Process An Involuntary Disability Retirement Applications (Resolution R.745-122019 & R.746-122019)
  - b. Resolution authorizing Mott MacDonald to provide additional Professional Engineering Services in connection with the Water Distribution System.(\$35,000.00) (Resolution R.748-122019)
  - c. Resolution awarding Contract for Public Bid No. 19-10-04 Janitorial Services for Edison Township Free Public Libraries (not to exceed \$50,000.000) (Resolution R.755-122019)
  - d. Resolution authorizing the issuance of \$975,000 Special Emergency Notes for the payment of contractually required severance liabilities resulting from the layoff or retirement of employees in and by the Township. (Resolution R.762-122019)
8. **FROM THE DEPARTMENT OF FINANCE:**
  - a. Report of Disbursements through December 19, 2019 (Resolution R.726-122019)
  - b. Resolution authorizing refund in the amount of \$67,158.47 for redemption of tax sale certificates (Resolution R.727-122019)
  - c. Resolution for 2020 Debit Service (Resolution R.728-122019)
  - d. Resolution authorizing refund for Tax Overpayments, totaling \$8,521.99 (Resolution R.729-122019)
  - e. Resolution authorizing refund for Sewer Tax Overpayments, totaling \$475.58 (Resolution R.730-122019)

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

- a. Resolution designating the property identified on the tax maps of the Township as Block 266, Lots 39, 40, 41, 43.A and 49, and Block 198, Lot 29 (aka in the area of 1000 U.S. Route 1) as an ‘area in need of rehabilitation’ pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (Resolution R.731-122019)
- b. Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 54.A, Lots 1.A3 and 1.A6 (aka 54 Runyons Lane) satisfies the criteria to be designated ‘an area in need of redevelopment’ pursuant to Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*(Resolution R.732-122019)
- c. Resolution authorizes the Mayor to execute the attached Final Billing and Accounts Receivable Term Sheet with Edison Water Company for the process and method for the final billing of the Township’s Municipal Water System’s customers and the assignment, transfer and sale of the accounts receivables associated with the provision of water services. (Resolution R.733-122019)
- d. Resolution authorizes the Mayor to execute the attached Grant Agreement with The Leary Firefighters Foundation.(Resolution R.734-122019)
- e. Resolution authorizing execution of an Amendment to the Agreement to Enter Into Ground Lease with Camp Kilmer B Urban Renewal Associates regarding the Township’s grant of an exclusive right and option to acquire certain real property located in the Township.(Resolution R.735-122019)
- f. Resolution authorizes the Mayor to execute an Amendment to the Site Access Agreement with Sovereign Consulting, Inc. and Akzo Nobel, Inc. with respect to the remediation work to be performed at Block 366.B, Lot 17.A (more commonly known as 400 Meadow Road – Boat Basin), as shown on the Township of Edison tax maps.(Resolution R.736-122019)
- g. Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 50, Lot 14.B (aka 76 National Road) satisfies the criteria to be designated ‘an area in need of redevelopment’ pursuant to Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*(Resolution R. 737-122019)

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

- a. Resolutions returning of Tree Maintenance Bonds (Resolutions R.738-122019 through R.742-122019)
- b. Resolution returning of Performance Bond (Resolution R.747-122019)
- c. Resolution authorizing Change Order #1 for Contract No. 19-09-19 with NDP Construction, LLC to remove and replace additional roof deck at Minnie Veal Recreation Center (\$3,494.40) (Resolution R.749-122019)

11. **FROM THE DEPARTMENT OF PUBLIC WORKS:**

- a. Resolution rejecting bids from Automated Side Loader Refuse Collection Vehicle (Resolution R.750-122019)
- b. Resolutions authorizing the purchase of Two (2) Dump Trucks with Plow Options (2 Vendors) (\$356,634.08) (Resolution R.751-122019 & R.752-122019)

- c. Resolution acceptance of Public bid No. 18-11-30 Main Entrance Vestibule door Replacement – Interior and Exterior and authorizing final contract payment of the Construction Project. (\$36,590.00) (Resolution R.753-122019)

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

- a. Resolution authorizing a reimbursement for Family Bingo Overpayment (Resolution R.743-122019)

**13. FROM THE TOWNSHIP CLERK:**

- a. Resolution authorizing a Person to Person and Place to Place Liquor License transfer (1205-33-008-008) (Resolution R.744-122019)

**14. FROM THE DEPARTMENT OF WATER AND SEWER:**

- a. Resolution awarding Contract/Purchase Order for four (4) Ford Eco Sports (\$80,748.00) (Resolution R.756-122019)
- b. Resolution awarding Contract/Purchase Order for (3) Ford F-250 Pick Up from Beyer Ford (\$106,101.00) (Resolution R.757-122019)
- c. Resolution awarding Contract/Purchase Order for (2) Ford F350 Open Utility Trucks from All American Ford of Old Bridge (\$191,628.00) (Resolution R.758-122019)
- d. Resolution accepting quotes and awarding an Emergency Contract/Purchase Order to Hertrich Fleet Services for one (1) Ford Escape (\$23,892.00) (Resolution R.759-122019)
- e. Resolution Awarding Contract for Public Bid No. 19-10-18 Laboratory Testing Services for the Township (not to exceed \$65,000.00) (Resolution R.760-122019)
- f. Resolution accepting Quote and Awarding Contract/Purchase Order for a Digital leak Correlator (\$15,700.00) (Resolution R.761-122019)

**15. FROM THE CHIEF OF FIRE:**

- a. Resolution awarding a Contract/ Purchase Order for repairs to Fire Trucks # 1 and #2 and Fire Engine #15 (\$37,098.00) (Resolution R.754-122019)

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

**17. UNFINISHED BUSINESS:**

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

**O.2061-2019                    AN ORDINANCE ESTABLISHING THE NOT TO EXCEED SALARIES OF CERTAIN OFFICERS, DEPARTMENT HEADS AND EMPLOYEES OF THE TOWNSHIP.**

**18. DISCUSSION ITEMS:**

**Council President Gomez**

a. None

**Councilmember Coyle**

a. None

**Councilmember Diehl**

a. None

**Councilmember Joshi**

a. None

**Councilmember Lombardi**

a. None

**Councilmember Patil**

a. None

**Councilmember Sendelsky**

a. None

19. **APPROVAL OF MINUTES:**

- a. Combined Meeting of November 13, 2019
- b. Combined Meeting of November 25, 2019

20. **COUNCIL PRESIDENT'S REMARKS**

21. **UNFINISHED BUSINESS:**

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

**O.2061-2019                    AN ORDINANCE ESTABLISHING THE NOT TO EXCEED SALARIES OF CERTAIN OFFICERS, DEPARTMENT HEADS AND EMPLOYEES OF THE TOWNSHIP.**

22. **PUBLIC COMMENT ON THE RESOLUTIONS**

23. **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.726-122019 Report of Disbursements through December 19, 2019

- R.727-122019 Resolution authorizing refund in the amount of \$67,158.47 for redemption of tax sale certificates
- R.728-122019 Resolution for 2020 Debit Service
- R.729-122019 Resolution authorizing refund for Tax Overpayments, totaling \$8,521.99.
- R.730-122019 Resolution authorizing refund for Sewer Tax Overpayments, totaling \$475.58.
- R.731-122019 Resolution designating the property identified on the tax maps of the Township as Block 266, Lots 39, 40, 41, 43.A and 49, and Block 198, Lot 29 (aka in the area of 1000 U.S. Route 1) as an 'area in need of rehabilitation' pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*
- R.732-122019 Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 54.A, Lots 1.A3 and 1.A6 (aka 54 Runyons Lane) satisfies the criteria to be designated 'an area in need of redevelopment' pursuant to Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*
- R.733-122019 Resolution authorizes the Mayor to execute the attached Final Billing and Accounts Receivable Term Sheet with Edison Water Company for the process and method for the final billing of the Township's Municipal Water System's customers and the assignment, transfer and sale of the accounts receivables associated with the provision of water services.
- R.734-122019 Resolution authorizes the Mayor to execute the attached Grant Agreement with The Leary Firefighters Foundation.
- R.735-122019 Resolution authorizing execution of an Amendment to the Agreement to Enter Into Ground Lease with Camp Kilmer B Urban Renewal Associates regarding the Township's grant of an exclusive right and option to acquire certain real property located in the Township.
- R.736-122019 Resolution authorizes the Mayor to execute an Amendment to the Site Access Agreement with Sovereign Consulting, Inc. and Akzo Nobel, Inc. with respect to the remediation work to be performed at Block 366.B, Lot 17.A (more commonly known as 400 Meadow Road – Boat Basin), as shown on the Township of Edison tax maps.
- R.737-122019 Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 50, Lot 14.B (aka 76 National Road) satisfies the criteria to be designated 'an area in need of redevelopment' pursuant to Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*
- R.738-122019 Resolution returning of Tree Maintenance Bond to Lube It Up, Blk. 161.K, Lot 11, 561 Route 1, for acct. #7763091037 in the amount of \$2,625.00.
- R.739-122019 Resolution returning of Tree Maintenance Bond to Toranco-Oak Tree Associates, LLC for Blk. 555, Lot 2.A, 2177 Oak Tree Road, for acct. #7763090956 in the amount of \$2,775.00.
- R.740-122019 Resolution returning of Tree Maintenance Bond to Asit Govil, Blk.338, Lot 39.01, 219 Sylvan Dell Avenue, for acct./ #7763396453 in the amount of \$675.00.

- R.741-122019 Resolution returning of Tree Maintenance Bond to Rocky Shah, Blk. 1121, Lot 13, 17 Parkerson Road, for Permit #16-155 in the amount of \$975.00.
- R.742-122019 Resolution returning of Tree Maintenance Bond to Pinalben Desai, Blk.1118, Lot 10, 25 Brookville Road, for Permit #16-176 in the amount of \$75.00.
- R.743-122019 Resolution authorizing a reimbursement for Family Bingo Overpayment to Rupa Bhattacharjee in the amount of \$10.00.
- R.744-122019 Resolution authorizing and approving the Person-to-Person & Place to Place transfer of the Plenary Retail Consumption License held by Gabriel Roman, 196 Deans Lane Monmouth Junction, NJ (POCKET LICENSE) to Deccan Spice Black Label, LLC located at 153 Wood Avenue, Edison, NJ 08820.
- R.745-122019 Resolution authorizing the Township Of Edison to Process An Involuntary Disability Retirement Application for John Luminiello, Jr.
- R.746-122019 Resolution authorizing the Township Of Edison to Process An Involuntary Disability Retirement Application for John Tempe.
- R.747-122019 Resolution Returning the Performance Surety Bond (1155738) In Site Star Bucks (49 route 27 LLC, Application #Z55-2016.
- R.748-122019 Resolution authorizing Mott MacDonald to provide additional Professional Engineering Services in connection with the Water Distribution System in the amount of \$35,000.00.
- R.749-122019 Resolution authorizing Change Order #1 for Contract No. 19-09-19 with NDP Construction, LLC to remove and replace additional roof deck at Minnie Veal Recreation Center in the amount of \$3,494.40.
- R.750-122019 Resolution rejecting bids from Automated Side Loader Refuse Collection Vehicle.
- R.751-122019 Resolution authorizing the purchase of the Body, Plow and Accessories for Two (2) new 2020 Western Star 4700SB Truck with options form Trius, Inc., through the Educational Services Commission of New Jersey Cooperative Pricing System in the amount of \$139,628.08.
- R.752-122019 Resolution authorizing the purchase of the Body, Plow and Accessories for Two (2) new 2020 Western Star 4700SB Truck with options from Hudson County Motors, Inc. through the Educational Services Commission of New Jersey Cooperative Pricing System in the amount of \$217,006.00.
- R.753-122019 Resolution acceptance of Public bid No. 18-11-30 Main Entrance Vestibule door Replacement – Interior and Exterior and authorizing final contract payment of the Construction Project in the amount of \$36,590.00.
- R.754-122019 Resolution awarding a Contract/ Purchase Order to Campbell Supply Co., LLC for repairs to Fire Trucks # 1 and #2 and Fire Engine #15 in the amount of \$37,098.00.
- R.755-122019 Resolution awarding Contract for Public Bid No. 19-10-04 Janitorial Services for Edison Township Free Public Libraries to Quality Facility Solutions DBA Quality Floorshine in an amount not to exceed \$50,000.00.

- R.756-122019 Resolution awarding Contract/Purchase Order for four (4) Ford Eco Sports to Winner Ford in the amount of \$80,748.00.
- R.757-122019 Resolution awarding Contract/Purchase Order for (3) Ford F-250 Pick Up from Beyer Ford in the amount of \$106,101.00.
- R.758-122019 Resolution awarding Contract/Purchase Order for (2) Ford F350 Open Utility Trucks from All American Ford of Old Bridge in the amount of \$191,628.00.
- R.759-122019 Resolution accepting quotes and Awarding an Emergency Contract/Purchase Order to Hertrich Fleet Services for one (1) Ford Escape in the amount of \$23,892.00.
- R.761-122019 Resolution accepting Quote and Awarding Contract/Purchase Order to Eastcom Associates, Inc. for a Digital leak Correlator in the amount of \$15,700.00.
- R.762-122019 Resolution authorizing the issuance of \$975,000 Special Emergency Notes for the payment of contractually required severance liabilities resulting from the layoff or retirement of employees in and by the Township of Edison in the County of Middlesex, New Jersey.

24. **ORAL PETITIONS AND REMARKS**

25. **ADJOURNMENT**

**ORDINANCE O.2061-2019**

**EXPLANATION: An Ordinance establishing the not-to-exceed salaries of certain officers, department heads and employees of the Township.**

**WHEREAS**, the municipal council (“Municipal Council”) of the Township of Edison (“Township”) seeks to establish the not-to-exceed salaries of certain officers, department heads and employees of the Township.

**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 salary(ies) for the following positions shall be as follows:

<b><u>Municipal Council</u></b>	<b>Salary (not-to-exceed)</b>
Council President	\$13,000.00
Councilperson	\$12,000.00
 <b><u>Department Directors and Employees</u></b>	
Business Administrator	\$190,000.00
Director of Finance/CFO	\$150,000.00
Director of Public Works	\$150,000.00
Director of Parks and Recreation	\$125,000.00
Municipal Clerk	\$125,000.00
Director of Planning and Engineering	\$150,000.00
Director of Health and Human Services	\$130,000.00
Construction Code Official	\$150,000.00
Tax Assessor	\$130,000.00
Tax Collector	\$120,000.00
Director of Water/Sewer	\$185,000.00

**Section 2.** 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 3.** 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 4.** A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

**Section 5.** This ordinance shall become effective upon final passage and publication according to law.



**RESOLUTION      R.726-12219**

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING DECEMBER 19, 2019.

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, December 19, 2019

<b>FUND</b>	<b>AMOUNT</b>
Current	\$14,862,873.92
Affordable Housing	884.35
Capital	1568,751.42
Cash Performance	9,314.17
CDBG	68,050.10
Developers Escrow	86,927.27
Dog (Animal Control)	627.82
Federal Forfeited	0.00
Grant Funds	5,524.04
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	520,821.90
Sanitation Fund	216,101.08
Self Insurance	0.00
Sewer Utility	154,698.85
Tax Sale Redemption	1,692.38
Tree Fund	0.00
Tree Planting	2,865.00
Trust	91,677.41
Edison Landfill Closure Trust	0.00
TOTAL	\$17,590,809.71

/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.727-122019**

**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 **\$67,158.47**.

**December 23, 2019**

**RESOLUTION R.728-122019**

**WHEREAS**, N.J.S. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than the last ten days of the preceding fiscal year, and

**WHEREAS**, the date of this resolution is subsequent to that date, and

**WHEREAS**, principal and interest will be due on various dates from January 1, 2020 to December 31 2020, inclusive, on sundry bonds & Notes issued and outstanding,

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Edison, in the County of Middlesex, State of New Jersey, that the following appropriations be made to cover the period from January 1, 2020 to December 31, 2020 inclusive:

	<u>2020</u>
<b>DEBT SERVICE - CURRENT FUND</b>	
Bond Principal	5,525,973.85
Bond Interest	983,911.00
Bond Anticipation Note Interest	2,153,880.00
Bond Anticipation Note Principal	1,997,721.00
Special Emergency Note Interest	39,495.10
Special Emergency Note Principal	453,600.00
NJ Environmental Infrastructure Trust	217,650.00
Tax Appeal Note Principal	2,030,000.00
Tax Appeal Note Interest	121,650.00
Total	<u>13,523,880.95</u>
<b>DEBT SERVICE - SEWER UTILITY FUND</b>	
Bond Principal	272,043.57
Bond Interest	157,473.00
Bond Anticipation Note Principal	105,000.00
Bond Anticipation Note Interest	291,831.67
Total	<u>826,348.24</u>
<b>DEBT SERVICE - WATER UTILITY FUND</b>	
Bond Principal	62,936.00
Bond Interest	24,823.00
Total	<u>87,759.00</u>
<b>DEBT SERVICE - MUNICIPAL OPEN SPACE FUND</b>	
Bond Principal	399,046.92
Bond Interest	46,604.00
Green Trust Loan	44,306.00
Total	<u>489,956.92</u>

**RESOLUTION R.729-122019**

**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 **\$8,521.99**.

**RESOLUTION R.730-122019**

**Authorizing refund for Sewer 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 sewer that 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 **\$475.58**.

**December 23, 2019**

**RESOLUTION R.731-122019**

**EXPLANATION: A resolution designating the property identified on the tax maps of the Township as Block 266, Lots 39, 40, 41, 43.A and 49, and Block 198, Lot 29 (aka in the area of 1000 U.S. Route 1) as an ‘area in need of rehabilitation’ pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.**

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

**WHEREAS**, in accordance with the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”) has determined to investigate whether Block 266, Lots 39, 40, 41, 43.A and 49, and Block 198, Lot 29 on the tax maps of the Township (aka in the area of 1000 U.S. Route 1), as more fully detailed on the map as more fully set forth in the 1000 U.S. Route 1 Study Area – Area in Need of Rehabilitation Recommendation, attached hereto as Exhibit A (the “**Rehabilitation Study**”), should be designated as an area in need of rehabilitation; and

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

**WHEREAS**, on December 11, 2019, the Municipal Council, acting by Resolution R.697-122019, referred a copy of a resolution, substantively as written herein, to the Planning Board for review and comment pursuant to N.J.S.A. 40A:12A-14; and

**WHEREAS**, Bignell Planning, the Township’s Planner, prepared the Rehabilitation Study for the Township, dated as revised through December 11, 2019, which finds that: a majority of the water and sewer infrastructure in the Study Area is at least 50 years old and is in need of repair or substantial maintenance, and a program of rehabilitation, including new construction, are expected to prevent further stagnation and deterioration and to promote the overall development of the community; and

**WHEREAS**, on December 16, 2019, the Planning Board reviewed the Rehabilitation Study and determined that the area depicted in the Rehabilitation Study satisfied the statutory criteria to be designated as an area in need of rehabilitation under Section 14 of the Redevelopment Law, N.J.S.A. 40:12A-14(a), and transmitted to the Municipal Council the recommendation that it adopt a resolution, substantively as written herein, which designates the area depicted in the Rehabilitation Study as an area in need of rehabilitation; and

**WHEREAS**, the Municipal Council believes that the designation of the area depicted in the Rehabilitation Study as an area in need of rehabilitation, and the development of a program of rehabilitation therefor, is expected to prevent further deterioration and promote the overall development of the Township in accordance with the requirements of Section 14 of the Redevelopment Law, N.J.S.A. 40:12A-14.

**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 designates the area depicted in the Rehabilitation Study as an “area in need of rehabilitation” pursuant to Section 14 of the Redevelopment Law, N.J.S.A. 40:12A-14.

**Section 3.** The Municipal Council hereby directs that the Township Clerk transmit a copy of this Resolution to the Commissioner of the Department of Community of Affairs for review in accordance with the Redevelopment Law.

**Section 4.** A copy of this Resolution shall be available for public inspection at the offices of the Township.

**Section 5.** This Resolution shall take effect immediately.

**RESOLUTION R.732-122019**

**EXPLANATION:** A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 54.A, Lots 1.A3 and 1.A6 (aka 54 Runyons Lane) satisfies the criteria to be designated ‘an area in need of redevelopment’ pursuant to Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the Township of Edison (the “**Township**”) 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 of the Township (“**Municipal Council**”) must authorize the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

**WHEREAS**, the Municipal Council hereby requests that an investigation occur with respect to the property commonly known as Block 54.A, Lots 1.A3 and 1.A6 (aka 54 Runyons Lane) on the tax map of the Township (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.733-122019**

**EXPLANATION: This Resolution authorizes the Mayor to execute the attached Final Billing and Accounts Receivable Term Sheet with Edison Water Company for the process and method for the final billing of the Township's Municipal Water System's customers and the assignment, transfer and sale of the accounts receivables associated with the provision of water services.**

**WHEREAS**, the Township of Edison (the "**Township**") and Edison Water Company (the "**Operator**," and together with the Township, the "**Parties**") are currently parties to an agreement, dated June 25, 1997 (the "**Original Contract**"), for the operation, maintenance and management of the Township's water transmission and distribution system (the "**System**") pursuant to the New Jersey Water Supply Public-Private Contracting Act, *N.J.S.A. 58:26-19* (the "**Act**"); and

**WHEREAS**, the Parties entered into an Amendment to the Original Contract, dated June 29, 2017 (the "**First Amendment**"), to provide for the continued operation, maintenance and management of the System through June 30, 2019, pursuant to the terms of the Contract; and

**WHEREAS**, the Parties agreed to amend the Contract to provide for the continued operation, maintenance and management of the System, pursuant to the terms contained therein, for an additional six (6) months, until December 31, 2019 (the "**Second Amendment**," and together with the Original Contract and First Amendment, the "**Contract**"); and

**WHEREAS**, pursuant to the Contract, and in connection with the transfer of the System from the Operator to the Township, it is necessary for the Parties to execute a Final Billing and Accounts Receivable Term Sheet (the "**Term Sheet**"), setting forth the proposed terms for the process and method for the final billing of the System's customers and the assignment, transfer and sale of the accounts receivables associated with the provision of water services; and

**WHEREAS**, the Term Sheet, a copy of which is attached hereto as Exhibit A, between the Township and the Operator has been reviewed and approved by the Township and the Operator.

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

1. The Mayor is hereby authorized to execute the Term Sheet, in 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 Term Sheet.

2. The Township Clerk is hereby authorized to forward the original and certified copies of the Term Sheet to the Township Attorney.

3. This Resolution shall take effect immediately.



**RESOLUTION R.734-122019**

**EXPLANATION: This Resolution authorizes the Mayor to execute the attached Grant Agreement with The Leary Firefighters Foundation.**

**WHEREAS**, The Leary Firefighters Foundation (the “Foundation”) is a nonprofit organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”); and

**WHEREAS**, the Edison Fire Division (the “Fire Division”) is a fire department providing fire, emergency and rescue services in the Township of Edison (the “Township”), to which contributions are deductible under Code Section 170(c)(1); and

**WHEREAS**, the Foundation desires to purchase, on behalf of the Fire Division, a Lion Brand ATTACK Digital Fire Training Panel, at a cost of approximately Twenty-Five Thousand, Three Hundred and Sixty-Two Dollars (\$25,362.00) (the “Grant Purpose”); and

**WHEREAS**, the Township and the Foundation desire to enter into a Grant Agreement (the “Agreement”) to establish the terms pursuant to which the Foundation shall provide the Grant Purpose; and

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

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

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

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

3. This Resolution shall take effect immediately.

**RESOLUTION R.735-122019**

**EXPLANATION: A Resolution authorizing execution of an Amendment to the Agreement to Enter Into Ground Lease with Camp Kilmer B Urban Renewal Associates regarding the Township's grant of an exclusive right and option to acquire certain real property located in the Township.**

**WHEREAS**, Township of Edison (the "**Township**") and Camp Kilmer B Urban Renewal Associates (the "**Owner**") entered into an Agreement to Enter Into Ground Lease, dated as of May 8, 2018 (the "**Agreement**"), whereby the Township agreed to grant to the Owner an exclusive right and option to acquire certain real property located in the Township of Edison, New Jersey (hereinafter known as the "**Property**"), as more particularly identified in the Agreement; and

**WHEREAS**, the term of the Agreement is set to expire December 31, 2019; and

**WHEREAS**, the Township and the Owner desire to amend the Agreement, to extend the term to June 30, 2020; and

**WHEREAS**, an amendment to the Agreement between the Township and the Owner (the "**Amendment**") has been prepared by the Township Attorney and has been reviewed and approved by the Owner.

**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 Amendment 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 Amendment.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Amendment to the Township Attorney and attorneys for the Owner.
3. This Resolution shall take effect immediately.

**RESOLUTION R.736-122019**

**EXPLANATION:** This Resolution authorizes the Mayor to execute an Amendment to the Site Access Agreement with Sovereign Consulting, Inc. and Akzo Nobel, Inc. with respect to the remediation work to be performed at Block 366.B, Lot 17.A (more commonly known as 400 Meadow Road – Boat Basin), as shown on the Township of Edison tax maps.

**WHEREAS**, Block 366.B, Lot 17.A (more commonly known as 400 Meadow Road – Boat Basin), as shown on the Township of Edison tax maps (the “**Property**”) is owned by the Township of Edison (the “**Township**”) and entry was required by Sovereign Consulting, Inc. and Akzo Nobel, Inc. (collectively, the “**Entrants**”) for environmental remediation work to be performed at the former Akzo Nobel, Inc. plant (the “**Project**”); and

**WHEREAS**, access to the Property was necessary as the Project requires remediation and replacement of soil on and adjacent to the Property; and

**WHEREAS**, the Township and the Entrants entered a Site Access Agreement (the “**Agreement**”) to establish the terms pursuant to which the Entrants agreed to undertake their work on the Project, and related matters; and

**WHEREAS**, the work to be performed by the Entrants at the Property is proceeding at no cost to the Township; and

**WHEREAS**, the Agreement is set to expire December 31, 2019, and due to unforeseen circumstances related to obtaining necessary permits for the Project, Entrants have requested the Agreement be amended to allow the term to be extended by one (1) year, to December 31, 2020.

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

1. The Mayor is hereby authorized to execute an amendment to the Agreement to extend the term of the Agreement by one (1) year, to December 31, 2020, if necessary in a form substantially consistent therewith, 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 Amendment.
2. This Resolution shall take effect immediately.

**RESOLUTION R.737-122019**

**EXPLANATION:** A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 50, Lot 14.B (aka 76 National Road) satisfies the criteria to be designated ‘an area in need of redevelopment’ pursuant to Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the Township of Edison (the “**Township**”) 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 of the Township (“**Municipal Council**”) must authorize the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

**WHEREAS**, the Municipal Council hereby requests that an investigation occur with respect to the property commonly known as Block 50, Lot 14.B (aka 76 National Road) on the tax map of the Township (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.738-122019**

**WHEREAS**, On September 10, 2014, Lube It Up posted Tree Maintenance Bond fees in the amount of \$2,625.00, with Check No. 002260 on deposit with the Township of Edison in account #7763091037 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 561 United States Route 1, Block 161.K, Lot 11, Edison, NJ, 08817;

**WHEREAS**, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

**WHEREAS**, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$2,625.00 be refunded to the applicant; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON**, that the Tree Maintenance Bond in the amount of 2,625.00 hereinabove mentioned be refunded to the applicant; and

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the sum of 2,625.00, plus any accrued interest as applicable, on deposit in Account #7763091037 to Lube It Up , 7 Pearl Court , Allendale NJ 07401, for the referenced property at 561 Unites States Route 1, Edison, NJ, 08817, Block 161.K, Lot 11

**RESOLUTION R.739-122019**

**WHEREAS**, On September 10, 2014 Toranco-Oak Tree Assocs LLC posted Tree Maintenance Bond fees in the amount of \$2,775.00, with Check No. 5224 on deposit with the Township of Edison in account #7763090956 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 2177 Oak Tree Road, Block 555, Lot 2.A, Edison, NJ, 08820;

**WHEREAS**, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

**WHEREAS**, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$2,775.00 be refunded to the applicant; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON**, that the Tree Maintenance Bond in the amount of 2,775.00 hereinabove mentioned be refunded to the applicant; and

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the sum of 2,775.00, plus any accrued interest as applicable, on deposit in Account #7763090956 to Toranco-Oak tree Road , 2163 Oak tree Rd , Edison NJ 08820, for the referenced property at 2177 Oak tree Road, Edison, NJ, 08820, Block 555, Lot 2.A

**RESOLUTION R.740-122019**

**WHEREAS**, On October 29, 2014 Asit Govil posted Tree Maintenance Bond fees in the amount of \$675.00, with Check No. 158 on deposit with the Township of Edison in account #7763396453 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 219 sylvan Dell Avenue, Block 338, Lot 39.01, Edison, NJ, 08817;

**WHEREAS**, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

**WHEREAS**, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$675.00 be refunded to the applicant; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON**, that the Tree Maintenance Bond in the amount of 675.00 hereinabove mentioned be refunded to the applicant; and

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the sum of 675.00, plus any accrued interest as applicable, on deposit in Account #7763396453 to Asit Govil , 3 Venezia Drive , Monroe NJ 08820, for the referenced property at 219 Sylvan Dell Avenue , Edison, NJ, 08817, Block 338, Lot 39.01

**RESOLUTION R.741-122019**

**WHEREAS**, On August 31, 2017, Rocky Shah posted Tree Maintenance Bond fees in the amount of \$975.00, with Check No. 910978755 on deposit with the Township of Edison in account #TP170831RO to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 17 Parkerson Rd, Block 1121, Lot 13, Edison, NJ, 08817;

**WHEREAS**, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

**WHEREAS**, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$975.00 be refunded to the applicant; and

**NOW, THEREFORE, BE IT RESOLVED** BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of 975.00 hereinabove mentioned be refunded to the applicant; and

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the sum of 975.00, plus any accrued interest as applicable, on deposit in Account #TP170831RO to Rocky Shah , 498 Metlars Lane, Piscataway NJ 08854, for the referenced property at 17 Parkerson Road, Edison, NJ, 08817, Block 1121, Lot 13

**RESOLUTION R.742-122019**

**WHEREAS**, On September 22, 2017, Pinalben Desai posted Tree Maintenance Bond fees in the amount of \$75.00, with Check No. 190 on deposit with the Township of Edison in account #TP170921RA to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 25 Brookville Rd, Block 1118, Lot 10, Edison, NJ, 08817;

**WHEREAS**, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

**WHEREAS**, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$75.00 be refunded to the applicant; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON**, that the Tree Maintenance Bond in the amount of 75.00 hereinabove mentioned be refunded to the applicant; and

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the sum of 75.00, plus any accrued interest as applicable, on deposit in Account #TP170921RA to Pinalben Desai , 25 Brookville Road, Edison NJ 08817, for the referenced property at 25 Brookville Road, Edison, NJ, 08817, Block 1118, Lot 10

**RESOLUTION R.743-122019**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO  
RUPA BHATTACHARJEE FOR FAMILY BINGO OVERPAYMENT**

**WHEREAS** Rupa Bhattacharjee made an overpayment in the amount of \$10.00 for the Recreation Family Bingo Event; and

**WHEREAS** she overpaid prior to the event; and

**NOW; THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$10.00 to Rupa Bhattacharjee, 7 Tived Lane., Edison, NJ 08837, which represents the amount of her overpayment.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$10.00 are available in Account #9-01-55-0291-000-000.

**RESOLUTION R.744-122019**

**EXPLANATION: A Resolution authorizing and approving the Person-to-Person & Place to Place transfer of the Plenary Retail Consumption License held by Gabriel Roman, 196 Deans Lane Monmouth Junction, NJ (POCKET LICENSE) to Deccan Spice Black Label, LLC located at 153 Wood Avenue, Edison, NJ 08820**

**WHEREAS**, an application has been filed with the Township of Edison (“Township”) for a Person-to-Person & Place to Place transfer of the Plenary Retail Consumption Liquor License No. 1205-33-008-008 (“License”), issued Gabriel Roman (“Seller”) to Deccan Spice Black Label, LLC (“Applicant”) to be used at Applicant’s business location at 153 Wood Avenue, Edison, NJ 08820.

**WHEREAS**, the Applicant’s submitted application form is complete in all respects, the transfer fees have been paid and the License has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 13 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the License and the licensed business and all additional financing obtained in connection with the licensed business; 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.

**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 Municipal Council hereby approves the Person-to-Person & Place to Place transfer of the License to the Applicant as to business premises now to be located at 153 Wood Avenue, Edison, NJ 08820 effective January 7, 2020.
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 Deccan Spice Black Label, LLC at business premise to be located at 153 Wood Avenue.
4. This Resolution shall take effect immediately.

(New License No. 1205-33-008-009)

**RESOLUTION R.745-122019**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PROCESS AN INVOLUNTARY DISABILITY RETIREMENT APPLICATION**

**WHEREAS**, the Township of Edison has employed John Luminiello Jr. as a Firefighter in the Edison Fire Department; and

**WHEREAS**, John Luminiello Jr. is an active member of the Police and Firemen's Retirement System (PFRS); and

**WHEREAS**, as of January 1, 2020, John Luminiello Jr. will have 22 years, 6 months of PFRS Service Credit, meeting the minimum service credit requirement of at least 4 years for PFRS members; and

**WHEREAS**, the Township of Edison staff is of the opinion that John Luminiello Jr. is totally and permanently disabled and no longer can perform the required duties of the position of Firefighter based on the documentation supplied by professionals retained by the Township of Edison; and

**WHEREAS**, the Township of Edison is unable to provide an alternative to the PFRS covered position with duties capable of being performed by John Luminiello Jr.; and

**WHEREAS**, the Mayor, as the Appropriate Authority and the Fire Chief, have consented to the processing of the Involuntary Disability Retirement Application.

**NOW, THEREFORE BE IT RESOLVED**, by the governing body of the Township of Edison that the appropriate staff members are directed to process an Involuntary Disability Retirement Application for Firefighter John Luminiello Jr., effective January 1, 2020; and

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution shall be forwarded to all parties involved in the administration of this action.



**RESOLUTION R.746-122019**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PROCESS AN INVOLUNTARY DISABILITY RETIREMENT APPLICATION**

**WHEREAS**, the Township of Edison has employed John Tempe as a Firefighter in the Edison Fire Department; and

**WHEREAS**, John Tempe is an active member of the Police and Firemen's Retirement System (PFRS); and

**WHEREAS**, as of January 1, 2020, John Tempe will have 18 years PFRS Service Credit, meeting the minimum service credit requirement of at least 4 years for PFRS members; and

**WHEREAS**, the Township of Edison staff is of the opinion that John Tempe is totally and permanently disabled and no longer can perform the required duties of the position of Firefighter based on the documentation supplied by professionals retained by the Township of Edison; and

**WHEREAS**, the Township of Edison is unable to provide an alternative to the PFRS covered position with duties capable of being performed by John Tempe; and

**WHEREAS**, the Mayor, as the Appropriate Authority and the Fire Chief, have consented to the processing of the Involuntary Disability Retirement Application.

**NOW, THEREFORE BE IT RESOLVED**, by the governing body of the Township of Edison that the appropriate staff members are directed to process an Involuntary Disability Retirement Application for Firefighter John Tempe, effective January 1, 2020; and

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution shall be forwarded to all parties involved in the administration of this action.

**RESOLUTION R.747-122019**

**EXPLANATION: Resolution Returning the Performance Surety Bond ( 1155738 )In Site Star Bucks (49 Route 27 LLC. Application #Z55-2016**

**WHEREAS, In Site Star Bucks posted;**

Enclosed is a Performance Surety Bond #1155738 dated May 8, 2018 of The Lenox Insurance Co, in the amount of \$14,287.50, posted by In Site Star Bucks. This is the surety portion of the performance guarantee.

An inspection has been revealed all improvements to be complete and in conformance to township standards: therefore, it is now in order that final acceptance is granted and the Performance Bond presently being held by the Township Clerk be released.

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON**, that the Township Clerk is hereby authorized to return the aforesaid bond 1155738 in the amount of **\$14,287.50** Lenox Insurance Company, to In Site Star Bucks having offices at 1400 16<sup>th</sup> Street , Suite 300, Oak Brook ,IL 60523.

**RESOLUTION R.748-122019**

**RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE ADDITIONAL PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE WATER DISTRIBUTION SYSTEM**

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

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

**WHEREAS**, Mott MacDonald, 111 Wood Avenue, South, Iselin, NJ 08830 has been providing Engineering Services for the acquisition of the Water Distribution System; and

**WHEREAS**, the Township desires to authorize an additional thirty five thousand dollars (\$35,000.00) to address prior and continued consulting services for the remainder of 2019; and

**WHEREAS**, funds in the amount of \$35,000.00 have been certified to be available in Section 20 Costs, Account Number C-06-19-2055-001-000; and

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

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

- Section 1.           The foregoing recitals are incorporated herein as if set forth in full.
  
- Section 2.           The Township desires to authorize the Engineering Services in the amount Not to Exceed \$35,000.00.
  
- Section 3.           The Mayor or his designee are hereby authorized and directed to execute a contract with Mott MacDonald, 111 Wood Avenue, South, Iselin, NJ 08830 for its Engineering Services in the amount of \$35,000.00.
  
- Section 4.           Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.
  
- Section 5.           This Resolution shall take effect immediately.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$35,000.00** are available for the above in Account No. **C-06-19-2055-001-000**.

\_\_\_\_\_  
Nicholas C. Fargo  
Chief Financial Officer

\_\_\_\_\_  
Date



**RESOLUTION R.749-122019**

**RESOLUTION AUTHORIZING CHANGE ORDER # 1 FOR CONTRACT NO. 19-09-18 WITH NDP CONSTRUCTION, LLC TO REMOVE AND REPLACE ADDITIONAL ROOF DECK AT MINNIE VEAL RECREATION CENTER**

**WHEREAS**, Resolution R.584-102019 dated October 23, 2019 authorized a contract with NDP CONSTRUCTION, LLC, 200 Tomillo Way, Suite 110, Tinton Falls, NJ 07712 for the Roof Replacement at Minnie Veal Recreation Center in the amount of \$156,000.00; and

**WHEREAS**, Change Order # 1 is needed to address unforeseen conditions that are found to be necessary to remove and replace additional roof deck and to supply and install all required shimming at Minnie Veal Recreation Center that was not initially anticipated at the time of contract award in the amount of \$3,494.40; and

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

**WHEREAS**, funds in the amount of \$3,494.40 have been certified to be available in the Various Improvements & Repairs to Buildings Account, No C-04-16-1948-105-000; and

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

**NOW, THEREFORE, IT IS RESOLVED**, by the Township Council of the Township of Edison, that Change Order #1 to the contract with NDP CONSTRUCTION, LLC, 200 Tomillo Way, Suite 110, Tinton Falls, NJ 07712 is hereby authorized in the amount of \$3,494.40 for a total amended contract amount of \$159,494.40.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$3,494.40** are available for the above in Account No. **C-04-16-1948-105-000** for a revised construction contract amount of **\$159,494.40**.

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Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.750-122019**

**RESOLUTION REJECTING BIDS FOR AUTOMATED SIDE LOADER REFUSE COLLECTION VEHICLE**

**WHEREAS**, the Township of Edison advertised for bids by public notice published in the Home News on November 19, 2019, for Public Bid No. 19-11-13 Automated Side Loader Refuse Collection Vehicle with a bid opening date of December 3, 2019; and

**WHEREAS**, two (2) bids were received as follows;

- Hunter Jersey Peterbilt, 524 Monmouth Road, Clarksburg, NJ 08510
- Cambria Automotive Co., Inc., 116 Talmadge Road, Edison, NJ 08817; and

**WHEREAS**, the Township of Edison is rejecting all bids as per 40A:11-13.2(c) as the Township is abandoning the project; 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, County of Middlesex, State of New Jersey that the bids for Public Bid No. Public Bid No. 19-11-13 Automated Side Loader Refuse Collection Vehicle are hereby rejected.

**RESOLUTION R.751-122019**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE THE BODY, PLOW, AND ACCESSORIES FOR TWO (2) NEW AND UNUSED 2020 WESTERN STAR 4700SB TRUCK WITH OPTIONS FROM TRIUS INC. THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE DEPARTMENT OF PUBLIC WORKS**

**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**, the Township of Edison, Department of Public Works is in need of two (2) new and unused 2020 Western Star truck with options and will purchase it under this contract from Hudson County Motors (chassis) and Trius Inc. (body, plow, and accessories); and

**WHEREAS**, TRIUS INC., 5049 Industrial Road, Farmingdale, NJ 07727 has been awarded Contract # ESCNJ 17/18-30 – Trucks-26,000 lbs. GVW or Greater under NJ state approved coop #65MCESCCPS; and

**WHEREAS**, the Township of Edison intends to enter into a contract/purchase order with TRIUS, INC., for the purchase of the body, plow, and accessories for two (2) new and unused 2020 Western Star 4700SB truck with options in the amount of \$139,628.08 (\$69,814.04 for each body, plow, and accessories); and

**WHEREAS**, the total amount of this contract shall not to exceed \$139,628.08; and

**WHEREAS**, funds in the amount of \$139,628.08 have been certified to be available in the Acq. Of Public Works Equipment Account, Number C-04-16-1948-104-000; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$139,628.08, and any other necessary documents, with TRIUS, INC., 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 **\$139,628.08** are available for the above in Account No. **C-04-16-1948-104-000**.

\_\_\_\_\_  
Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.752-122019**

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE THE CHASSIS FOR TWO (2) NEW AND UNUSED 2020 WESTERN STAR 4700SB TRUCK WITH OPTIONS FROM HUDSON COUNTY MOTORS INC. THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE DEPARTMENT OF PUBLIC WORKS**

**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**, the Township of Edison, Department of Public Works is in need of two (2) new and unused 2020 Western Star truck with options and will purchase it under this contract from Hudson County Motors (chassis) and Trius Inc. (body, plow, and accessories); and

**WHEREAS**, HUDSON COUNTY MOTORS INC., 614 New County Road, PO Box 2611, Secaucus, NJ 07096 has been awarded Contract # ESCNJ 17/18-30 – Trucks-26,000 lbs. GVW or Greater under NJ state approved coop #65MCESCCPS; and

**WHEREAS**, the Township of Edison intends to enter into a contract/purchase order with HUDSON COUNTY MOTORS INC., for the purchase of the chassis for two (2) new and unused 2020 Western Star 4700SB truck with options in the amount of \$217,006.00 (\$108,503.00 for each chassis); and

**WHEREAS**, the total amount of this contract shall not to exceed \$217,006.00; and

**WHEREAS**, funds in the amount of \$201,147.29 have been certified to be available in the Sanitation-Capital Outlay Account, Number 9-09-55-0880-000-600 and funds in the amount of \$15,858.71 have been certified to be available in the Acq. Of Public Works Equipment Account, Number C-04-16-1948-104-000; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$217,006.00, and any other necessary documents, with HUDSON COUNTY MOTORS INC., 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 **\$201,147.29** are available for the above in Account No. **9-09-55-0880-000-600** and certify that funds in the amount of **\$15,858.71** are available for the above in Account No. **C-04-16-1948-104-000**.

\_\_\_\_\_  
Nicholas C. Fargo  
Chief Financial Officer



**RESOLUTION R.753-122019**

**RESOLUTION FOR TOWNSHIP ACCEPTANCE OF PUBLIC BID NO. 18-11-30-MAIN ENTRANCE  
VESTIBULE DOOR REPLACEMENT – INTERIOR AND EXTERIOR AND AUTHORIZING FINAL  
CONTRACT PAYMENT OF THE CONSTRUCTION PROJECT**

**WHEREAS**, the Township of Edison advertised for a construction contract for the Main Entrance Vestibule Door Replacement – Interior and Exterior under Public Bid No. 18-11-30; and

**WHEREAS**, **MACKENZIE DOOR COMPANY**, 4900 West Side Avenue, North Bergen, NJ 07047 submitted the lowest legally responsible, responsive bid and was awarded a construction contract through resolution R.056-012019 in a contract amount not to exceed \$36,590.00 for the project; and

**WHEREAS**, the Department of Public Works has reviewed the project and certifies the construction work has been completed; and

**WHEREAS**, the Township has received the two-year maintenance bond and recommends release of the performance bond and final payment, to be made to **MACKENZIE DOOR COMPANY**, in the contract amount of \$36,590.00.

**NOW, THEREFORE IT IS RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the project under Public Bid No. Public Bid No. 18-11-30-Main Entrance Vestibule Door Replacement – Interior and Exterior is deemed accepted by the Township of Edison, that the performance bond shall be released, and that final payment, shall be made to **MACKENZIE DOOR COMPANY**, 4900 West Side Av

**RESOLUTION R.754-122019**

**RESOLUTION AWARDING A CONTRACT/PURCHASE ORDER TO CAMPBELL SUPPLY CO., LLC FOR REPAIRS TO FIRE TRUCKS #1 AND #2 AND FIRE ENGINE #15 FOR THE DIVISION OF FIRE**

**WHEREAS**, Fire Truck #1, Fire Truck #2, and Fire Engine #15 needed emergency repairs; and

**WHEREAS**, the current contractual vendor, Absolute Fire, who was awarded Public Bid No. 17-10-02RRR-Emergency Vehicle Repairs, could not provide the needed vehicle repairs; and

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

**WHEREAS**, a quote was solicited from CAMPBELL SUPPLY CO., LLC, by the Division of Fire for the emergency vehicle repairs to Truck #1, Truck #2, and Engine #15; and

**WHEREAS**, CAMPBELL SUPPLY CO., LLC, 1015 Cranbury South River Rd., Monroe, NJ 08831, submitted a quote in the amount not to exceed \$37,098.00; and

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

**WHEREAS**, CAMPBELL SUPPLY CO., LLC., 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 CAMPBELL SUPPLY CO., LLC. from making any reportable contributions through the term of the contract; 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**, funds in the amount of \$37,098.00 have been certified to be available in the Fire Fighting Maintenance of Motor Vehicle, Account Number 9-01-25-0265-001-025; 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 quote submitted by CAMPBELL SUPPLY CO., LLC, 1015 Cranbury South River Rd., Monroe, NJ 08831 for the emergency vehicle repairs to Truck #1, Truck #2, and Engine #15 for the Division of Fire, is determined to be in the best interest of the Township.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$37,098.00, and any other necessary documents, with CAMPBELL SUPPLY CO., LLC as described herein.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$37,098.00** are available for the above in Account No. **9-01-25-0265-001-025**.

Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.755-122019**

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO QUALITY FACILITY SOLUTIONS DBA QUALITY FLOORSHINE FOR JANITORIAL SERVICES FOR EDISON TOWNSHIP FREE PUBLIC LIBRARIES**

**WHEREAS**, bids were received by the Township of Edison on November 7, 2019 for Public Bid No. 19-10-04-Janitorial Services for Edison Township Free Public Libraries; and

**WHEREAS**, QUALITY FACILITY SOLUTIONS DBA QUALITY FLOORSHINE, 199 Lee Ave #297, Brooklyn, NJ 11211, submitted the lowest legally responsible, responsive bid as listed on the spreadsheet; and

**WHEREAS**, QUALITY FACILITY SOLUTIONS DBA QUALITY FLOORSHINE, was approved at the Edison Free Public Library Board of trustees Meeting on December 10, 2019; and

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

**WHEREAS**, the amount of the first year and any succeeding renewal year shall not exceed \$50,000.00, 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 Library Board'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 QUALITY FACILITY SOLUTIONS DBA QUALITY FLOORSHINE for Janitorial Services for Edison Township Free Public Libraries is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$50,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with QUALITY FACILITY SOLUTIONS DBA QUALITY FLOORSHINE as described herein.

**RESOLUTION R.756-122019**

**RESOLUTION ACCEPTING QUOTES AND AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO WINNER FORD FOR FOUR (4) FORD ECO SPORT'S**

**WHEREAS**, the Township of Edison is taking over operation of its water distribution system effective January 1, 2020; and

**WHEREAS**, an emergency condition exists in which the Township needs to expedite the purchase of four (4) Ford Eco Sport's for the operation of the water distribution system; and

**WHEREAS**, quotes were solicited and WINNER FORD, 250 Haddonfield-Berlin Rd., Cherry Hill, NJ 08034 submitted the lowest responsible, responsive quote in the amount of \$80,748.00 (\$20,487.00, \$19,997.00, \$19,997.00, and \$20,267.00 for each Ford Eco Sport); and

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

**WHEREAS**, funds in the amount not to exceed \$80,748.00 have been certified to be available in the Various Capital Improv. & Start Up Costs Account, No. C-06-19-2055-001-000; and

**WHEREAS**, prior to contract/Purchase order, WINNER FORD 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 WINNER FORD from making any reportable contributions through the term of the contract; and

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

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

1. All quotes have been reviewed, and the quote as submitted by WINNER FORD, 250 Haddonfield-Berlin Rd., Cherry Hill, NJ 08034, for (4) Ford Eco Sport's is determined to be the lowest, responsive, responsible quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$80,748.00 and any other necessary documents, with WINNER FORD.
3. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.
4. 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 **\$80,748.00** are available for the above in Account No. **C-06-19-2055-001-000**.

\_\_\_\_\_  
Nicholas C. Fargo  
Chief Financial Officer

\_\_\_\_\_  
Date

**RESOLUTION R.757-122019**

**RESOLUTION ACCEPTING QUOTES AND AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO BEYER FORD FOR THREE (3) FORD F250'S**

**WHEREAS**, the Township of Edison is taking over operation of its water distribution system effective January 1, 2020; and

**WHEREAS**, an emergency condition exists in which the Township needs to expedite the purchase of three (3) Ford F250's for the operation of the water distribution system; and

**WHEREAS**, quotes were solicited and BEYER FORD, 170 Ridgedale Ave., Morristown, NJ 07960 submitted the lowest responsible, responsive quote in the amount of \$106,101.00 (\$35,367.00 for each Ford F250); and

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

**WHEREAS**, funds in the amount not to exceed \$106,101.00 have been certified to be available in the Various Capital Improv. & Start Up Costs Account, No. C-06-19-2055-001-000; and

**WHEREAS**, prior to contract/Purchase order, BEYER FORD 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 BEYER FORD from making any reportable contributions through the term of the contract; and

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

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

1. All quotes have been reviewed, and the quote as submitted by BEYER FORD, 170 Ridgedale Ave., Morristown, NJ 07960, for (3) Ford F250's is determined to be the lowest, responsive, responsible quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$106,101.00 and any other necessary documents, with BEYER FORD.
3. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.
4. 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 **\$106,101.00** are available for the above in Account No. **C-06-19-2055-001-000**.

\_\_\_\_\_  
Nicholas C. Fargo  
Chief Financial Officer

\_\_\_\_\_  
Date

**RESOLUTION R.758-122019**

**RESOLUTION ACCEPTING QUOTES AND AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO ALL AMERICAN FORD OF OLD BRIDGE FOR TWO (2) FORD F350 OPEN UTILITY TRUCKS AND TWO (2) FORD F350 CLOSED UTILITY TRUCKS**

**WHEREAS**, the Township of Edison is taking over operation of its water distribution system effective January 1, 2020; and

**WHEREAS**, an emergency condition exists in which the Township needs to expedite the purchase of two (2) Ford F350 Open Utility Trucks and two (2) Ford F350 Closed Utility Trucks for the operation of the water distribution system; and

**WHEREAS**, quotes were solicited and ALL AMERICAN FORD OF OLD BRIDGE, 3698 Route 9 South, Old Bridge, NJ 08857 submitted the sole quote in the amount of \$191,628.00 (\$53,388.00 for each Ford F350 Open Utility Truck and \$42,426.00 for each Ford F350 Closed Utility Truck); and

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

**WHEREAS**, funds in the amount not to exceed \$191,628.00 have been certified to be available in the Various Capital Improv. & Start Up Costs Account, No. C-06-19-2055-001-000; and

**WHEREAS**, prior to contract/Purchase order, ALL AMERICAN FORD OF OLD BRIDGE 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 ALL AMERICAN FORD OF OLD BRIDGE from making any reportable contributions through the term of the contract; and

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

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

1. The sole quote has been reviewed, and the quote as submitted by ALL AMERICAN FORD OF OLD BRIDGE, 3698 Route 9 South, Old Bridge, NJ 08857, for (2) Ford F350 Open Utility Truck and two (2) Ford F350 Closed Utility Truck is determined to be the sole quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$191,628.00 and any other necessary documents, with ALL AMERICAN FORD OF OLD BRIDGE.
3. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.
4. 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 **\$191,628.00** are available for the above in Account No. **C-06-19-2055-001-000**.

\_\_\_\_\_  
Nicholas C. Fargo  
Chief Financial Officer  
\_\_\_\_\_

**RESOLUTION R.759-122019**

**RESOLUTION ACCEPTING QUOTES AND AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO HERTRICH FLEET SERVICES, INC. FOR ONE (1) FORD ESCAPE**

**WHEREAS**, the Township of Edison is taking over operation of its water distribution system effective January 1, 2020; and

**WHEREAS**, an emergency condition exists in which the Township needs to expedite the purchase of one (1) Ford Escape for the operation of the water distribution system; and

**WHEREAS**, quotes were solicited and HERTRICH FLEET SERVICES, INC., 1427 Bay Road, Milford, DE 19963 submitted the lowest responsible, responsive quote in the amount of \$23,892.00; and

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

**WHEREAS**, funds in the amount not to exceed \$23,892.00 have been certified to be available in the Various Capital Improv. & Start Up Costs Account, No C-06-19-2055-001-000; and

**WHEREAS**, prior to contract/Purchase order, HERTRICH FLEET SERVICES, 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 HERTRICH FLEET SERVICES, INC., from making any reportable contributions through the term of the contract; and

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

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

1. All quotes have been reviewed, and the quote as submitted by HERTRICH FLEET SERVICES, INC., 1427 Bay Road, Milford, DE 19963, for one (1) Ford Escape is determined to be the lowest, responsive, responsible quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$23,832.00 and any other necessary documents, with HERTRICH FLEET SERVICES, INC.
3. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.
4. 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 **\$23,892.00** are available for the above in Account No. **C-06-19-2055-001-000**.

\_\_\_\_\_  
Nicholas C. Fargo  
Chief Financial Officer  
\_\_\_\_\_

**RESOLUTION R.760-122019**

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO EUROFINS QC, LLC FOR THE FURNISHING OF LABORATORY TESTING SERVICES**

**WHEREAS**, bids were received by the Township of Edison on November 7, 2019 for Public Bid No. 19-10-18 Laboratory Testing Services for the Township of Edison; and

**WHEREAS**, Eurofins QC, LLC, 702 Electronic Drive, Horsham, PA 19044, submitted the lowest legally responsible bid as listed on the spreadsheet; and

**WHEREAS**, the total amount of the first year and any succeeding renewal year shall not exceed \$65,000.00, cannot be encumbered at this time; and

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

**WHEREAS**, 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 Eurofins QC, LLC, 702 Electronic Drive, Horsham, PA 19044, for Laboratory Testing Services is determined to be the lowest legally responsible bid for as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$65,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with Eurofins QC, LLC.



**RESOLUTION R.761-122019**

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO EASTCOM ASSOCIATES, INC. FOR A DIGITAL LEAK CORRELATOR FOR THE DEPARTMENT OF WATER AND SEWERS**

**WHEREAS**, quotes were solicited by the Township of Edison for digital leak correlators for the Department of Water and Sewers; and

**WHEREAS**, quotes were solicited and EASTCOM ASSOCIATES, INC., 185 Industrial Pkwy, Suite G, Branchburg, NJ 08876 submitted the lowest responsible, responsive quote in the amount of \$15,700.00; and

**WHEREAS**, for the previous twelve months, the Township expended \$17,252.80 with EASTCOM ASSOCIATES, INC and the current contract/Purchase Order in the amount not to exceed \$15,700.00 will make a combined total amount of \$32,952.80 in a twelve month period; and

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

**WHEREAS**, prior to contract/Purchase order, EASTCOM 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 EASTCOM ASSOCIATES, INC. from making any reportable contributions through the term of the contract; and

**WHEREAS**, funds in the amount of \$15,700.00 have been certified to be available in the Various Capital Improvements Account, No. C-06-19-2055-001-000; and

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

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

1. All quotes have been reviewed, and the quote by EASTCOM ASSOCIATES, INC., 185 Industrial Pkwy, Suite G, Branchburg, NJ 08876, for digital leak noise correlators for the Department of Water and Sewers, is determined to be the lowest, responsive, and responsible quote.
2. The Mayor, or his designee, is hereby authorized to execute a purchase order in the amount not to exceed \$15,700.00, and any other necessary documents, with EASTCOM ASSOCIATES, INC.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$15,700.00** are available for the above in Account No. **C-06-19-2055-001-000**.

\_\_\_\_\_  
Nicholas C. Fargo  
Chief Financial Officer

\_\_\_\_\_  
Date

**RESOLUTION R.762-122019**

**RESOLUTION AUTHORIZING THE ISSUANCE OF  
\$975,000 SPECIAL EMERGENCY NOTES FOR THE  
PAYMENT OF CONTRACTUALLY REQUIRED  
SEVERANCE LIABILITIES RESULTING FROM THE  
LAYOFF OR RETIREMENT OF EMPLOYEES IN AND BY  
THE TOWNSHIP OF EDISON, IN THE COUNTY OF  
MIDDLESEX, NEW JERSEY**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. An ordinance authorizing a special emergency appropriation of \$975,000 for the payment of contractually required severance liabilities resulting from the layoff or retirement of employees has been finally adopted, and a copy thereof has been filed with the Director of Local Government Services.

Section 2. (a) In order to finance the special emergency appropriation described in Section 1 of this resolution, the Township of Edison, in the County of Middlesex, New Jersey (the "Township") is hereby authorized to borrow the sum of \$975,000 and to issue its special emergency notes therefor (the "Notes") in accordance with the Local Budget Law of New Jersey (N.J.S.A. 40A:4-55) (the "Local Budget Law").

(b) The Notes authorized by this resolution may be issued in amounts and denominations not exceeding in the aggregate the amount of Notes authorized herein, as determined by the Chief Financial Officer of the Township pursuant to this resolution.

(c) The Township may finance the special emergency appropriation from surplus funds available or may borrow money in a manner prescribed herein. Where an appropriation is

financed from surplus funds available, at least one-fifth of the amount thereof shall be included in each annual budget until the appropriation has been fully provided for.

Section 3. The following matters in connection with the Notes are hereby determined:

(a) All Notes issued hereunder and any renewals thereof shall mature at such time as may be determined by the Chief Financial Officer of the Township within the limitations of the Local Budget Law, provided, however, that at least one-fifth of all such Notes and the renewals thereof shall mature and be paid in each year so that all Notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of this resolution;

(b) All Notes issued hereunder shall bear interest at such rate or rates as may be determined by the Chief Financial Officer of the Township; and

(c) The Notes shall be in the form determined by the Chief Financial Officer of the Township and such Chief Financial Officer's signature upon the Notes shall be conclusive as to such determination.

Section 4. The Chief Financial Officer of the Township is hereby authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution, and such Chief Financial Officer's signature upon the Notes shall be conclusive as to such determination.

Section 5. The Chief Financial Officer of the Township is hereby authorized to sell the Notes from time to time at public or private sale in such amounts as such Chief Financial Officer may determine at not less than par and to deliver the same from time to time to the

purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 6. Any instrument issued pursuant to this resolution shall be a general obligation of the Township. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the Notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 7. The Township hereby makes the following covenants and declarations with respect to Notes to be issued by the Chief Financial Officer of the Township on a tax-exempt basis. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Notes, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Notes. The Chief Financial Officer is hereby authorized to act on behalf of the Township to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Township hereby declares the intent of the Township to issue Notes in the amount authorized in Section 1 of this resolution and to use the proceeds to pay or reimburse expenditures for the costs of the purpose described herein. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Notes are not exempt from the Rule and provided that the Notes are not exempt from the

following requirements in accordance with paragraph (d) of the Rule, for so long as the Notes remain outstanding (unless the Notes and any renewals thereof have been wholly defeased), the Township shall provide for the benefit of the holders of the Notes and the beneficial owners thereof:

(a) On or prior to September 30 of each fiscal year, beginning September 30, 2020 for the fiscal year ending December 31, 2019, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the Securities and Exchange Commission to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Township consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Township and certain financial information and operating data consisting of (1) Township indebtedness and overlapping indebtedness including a schedule of outstanding debt issued by the Township; (2) property valuation information; and (3) tax rate, levy and collection data. The audited financial statements will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law;

(b) if any of the following material events occur regarding the Notes, a timely notice not in excess of ten business days after the occurrence of the event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;

- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a Financial Obligation of the Township, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a Financial Obligation, any of which affect holders of the Obligations, if material;
- (16) Default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of the Township, if any such event reflects financial difficulties.

For the purposes of the event identified in subparagraph (b)(12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

The term "Financial Obligation" as used in subparagraphs (b)(15) and (b)(16) above means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation or (iii) guarantee of (i) or (ii); provided, however, that the term "Financial Obligation" shall not include municipal

securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

(c) Notice of failure of the Township to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(e) The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Township prior to their offering. Such Chief Financial Officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

(f) In the event that the Township fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Township shall not be liable for monetary damages, remedy being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 9. The Chief Financial Officer of the Township is authorized and directed to report in writing to this governing body at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made, such report to include the amount,



description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser.

Section 10. A copy of this resolution as adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 11. This resolution shall take effect immediately.