

Council Meeting Instructions for the public meeting on 4/6/2020

The Municipal Council of the Township of Edison's regularly scheduled April 6, 2020 meeting, will be held by means of electronic communications equipment, as authorized by applicable law. The meeting will be held and conducted via audio only web conference.

Due to the COVID-19 pandemic, no members of the public shall be permitted to physically attend the meeting. The public, however, is invited to attend the meeting electronically, and will also include provision for the receipt of public comment. All Resolution and Public Comment questions must be submitted via email to publicmeetingsubmissions@edisonnj.org. Email guidelines are as follows:

1. Please submit in advance any questions regarding the agenda prior to the meeting.
2. Please submit any questions you have during the open public and comments portion of the meeting to the email address listed. The email address will be monitored in real time for consideration.
3. You MUST include your name and address in the body of all submitted emails otherwise they will not be considered.

The web URL to listen to the council is

<https://meetings.avaya.com/portal/tenants/914007712/recording/?ID=519db262-3a15-4775-9fde-117e01cb8df2>

AGENDA BELOW

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Monday, April 6, 2020
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger, the Sentinel and News India Times on December 13, 2019 and Special Notice sent to Homes News Tribune on March 31, 2020 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **REVIEW OF MINUTES:**
 - a. Combined Meeting of February 24, 2020
 - b. Combined Meeting of March 11, 2020
 - c. Combined Meeting of December 11, 2019
5. **REPORTS FROM ALL COUNCIL COMMITTEES:**
6. **POINTS OF LIGHT**
7. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution authorizing the transfer of funds in the Calendar Year 2019 to Current fund Budget Appropriations pursuant to NJSA 40A:4-59(Resolution R.182-042020)
8. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through March 19, 2020 (Resolution R.171-042020)
 - b. Resolution authorizing refund in the amount of \$166,022.45 for redemption of tax sale certificates (Resolution R.172-042020)
 - c. Resolutions authorizing Settlement of Tax Appeals (6) Resolution R.174-042020 through R.179-042020)
 - d. Temporary Budget Appropriations (Resolution R.186-042020)
 - e. Resolution authorizing refund in the amount of \$ 47,434.00 for redemption of tax sales certificates (Resolution R.195-042020)
 - f. Report of Disbursements through April 2, 2020 (Resolution R.196-042020)
9. **FROM THE DEPARTMENT OF HEALTH:**
 - a. Resolution authorizing submission of NJDCA DCR Municipal lead Abatement Pilot Program 2020 Grant (Resolution R.189-042020)
10. **FROM THE DEPARTMENT OF LAW:**

- a. Ordinance Codifies The Policy Of The Township Of Edison (The “Township”) Regarding Military Leave Law For Township Employees, Not Including Temporary Or Seasonal Employees, Who Are Called To Active Military Duty Or Service, Or Inactive Duty Training. (O.2066-2020)
 - b. This Resolution authorizes the Mayor to execute the attached Developer’s Agreement with Segme Cedar Lane, LLC, with respect to Block 3-D, Lot 11 on the Edison Township Tax Map, and more commonly known as 11 C Court South. (Resolution R.193-042020)
 - c. A resolution authorizing the discharge of mortgage pertaining to assistance made available under the Township’s Community Development Block Grant Program regarding Block 817, Lot 43 (32 Walnut Street).(Resolution R.194-042020)
 - d. A Resolution authorizing the conversion of the Snow Removal Trust to a “Storm Recovery Trust,” pursuant to *N.J.S.A. 40A:4-62.1*. (Resolution R.173-042020)
11. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
 - a. Resolution releasing of Cash Performance and Surety Bond (Resolution R.180-042020 & R.183-042020 and R.187-042020.
 - b. Resolution returning Tree Maintenance Bond Permit (Resolution R.181-042020)
 - c. Resolution refunding of Engineering Inspection fees (Resolution R.188-042020)
12. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
 - a. Resolution releasing of Street Opening Escrows (Resolution R.184-042020 & R.185-042020)
13. **FROM THE DEPARTMENT OF RECREATION:**
 - a. Resolution accepting quote and awarding contract/Purchase order for the construction of Dwyer park Cricket Pitch Field (\$25,256.31) (Resolution R.190-042020)
14. **FROM THE DEPARTMENT OF WATER AND SEWER:**
 - a. Resolution Awarding a Month to Month Contract for Emergency Pump Station Repairs (not to exceed \$100,000.00) (Resolution R.192-042020)
15. **FROM THE CHIEF OF FIRE:**
 - a. Resolution Awarding of Contract for Public Bid No. 20-02-01 Mid-Mount Platform Fire Truck (\$1,299.983.00) (Resolution R.191-042020)
16. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**
17. **COMMUNICATION:**
 - a. Letter received from residents of Marion Street requesting Residential Permit Parking.
18. **DISCUSSION ITEMS:**

Council President Ship-Freeman

- a. None

Councilmember Brescher

- a. None

Councilmember Coyle

- a. None

Councilmember Diehl

- a. None

Councilmember Gomez

- a. None

Councilmember Joshi

- a. None

Councilmember Patil

- a. None

19. **APPROVAL OF MINUTES:**

- a. Combined Meeting of February 24, 2020
- b. Combined Meeting of March 11, 2020
- c. Combined Meeting of December 11, 2019

20. **COUNCIL PRESIDENT'S REMARKS**

21. **NEW BUSINESS:**

PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR MONDAY, APRIL 22, 2020.

O.2066-2020 CODIFIES THE POLICY OF THE TOWNSHIP OF EDISON (THE "TOWNSHIP") REGARDING MILITARY LEAVE LAW FOR TOWNSHIP EMPLOYEES, NOT INCLUDING TEMPORARY OR SEASONAL EMPLOYEES, WHO ARE CALLED TO ACTIVE MILITARY DUTY OR SERVICE, OR INACTIVE DUTY TRAINING.

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.171-042020 Resolution approving disbursements for the period ending March 19, 2020.
- R.172-042020 Resolution authorizing refund in the amount of \$166,022.45 for redemption of tax sale certificates.
- R.173-042020 Resolution authorizing the conversion of the Snow Removal Trust to a "Storm Recovery Trust," pursuant to *N.J.S.A. 40A:4-62.1*.
- R.174-042020 This Resolution authorizes the settlement of tax appeal filed by Navneet Kaur and Shaliender Rai for the Tax Years 2018 and 2019
- R.175-042020 This Resolution authorizes the settlement of Tax Appeal filed by Raritan Plaza III, LLC for the Tax Years 2015 through 2020.
- R.176-042020 This Resolution authorizes the settlement of tax appeal filed by Jersey Global, LLC for the Tax Years 2018 and 2019 and Petition of Appeal filed for Tax Year 2020.
- R.177-042020 This Resolution authorizes the settlement of Tax Appeal filed by Ben Hur, LLC c/o In Mocean for the Tax Years 2014 through 2019.
- R.178-042020 This Resolution authorizes the settlement of tax appeal filed by Nirmal & Santosh B. Khanna for the Tax Year 2018.
- R.179-042020 This Resolution authorizes the settlement of Tax Appeals filed by Bipin-Seth Inc. c/o Days Inn for the Tax Years 2013, 2014 2015, 2016, 2017, and 2018.
- R.180-042020 Resolution releasing of Cash Performance and Surety Bond for Application Z26-06/07, Blk 256, Lot 9-33 aka 81 Plainfield Avenue.
- R.181-042020 Resolution returning Tree Maintenance Bond Permit for Blk. 557.B, Lot 8F aka 14 Longview in acct.#TP180119JO in the amount of \$600.00.
- R.182-042020 Resolution authoring the transfer of funds in the Calendar Year 2019 to Current fund Budget Appropriations pursuant to *NJSA 40A:4-59*.
- R.183-042020 Resolution refunding Cash Performance Bond to SAI Construction Services Inc., 375 Raritan Center Parkway, Application # P6-2012, Account #CP170830SA Performance Surety Bond#FP0023322 First Indemnity of American Insurance Company.
- R.184-042020 Resolution releasing of Street Opening Escrow for Permit #DEV-0147 blk. 66, lot 50, aka 69 Mineola Place in the amount of \$2,880.00.
- R.185-042020 Resolution releasing of Street Opening Escrow for Permit #DEV-0027, blk.1138, lot 31, aka 71 Sturgis Road in the amount of \$560.00.
- R.186-042020 Temporary Budget Appropriations
- R.187-042020 Resolution refunding Cash Performance to Top Golf USA, Application P42-07/08, Blk. 198L, Lot 37.04 in account #7763342597.
- R.188-042020 Resolution refunding Engineering Inspection Fees to Top Golf USA, Edison LLC, account #7763939625, aka Blk. 198L, Lot 37.04.
- R.189-042020 Resolution authorizing submission of NJDCA DCR Municipal lead Abatement Pilot Program 2020 Grant.

- R.190-042020 Resolution accepting quote and awarding contract/Purchase order for the construction of Dwyer park Cricket Pitch Field to Anthony's Construction Inc. in the amount of \$25,256.31.
- R.191-042020 Resolution Awarding of Contract for Public Bid No. 20-02-01 Mid- Mount Platform Fire Truck to Spartan Fire, LLC in the amount of \$1,299,983.00.
- R.192-042020 Resolution Awarding a Month to Month Contract for Emergency Pump Station Repairs to Rapid Pump and Meter in an amount not to exceed \$100,000.00.
- R.193-042020 This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Segme Cedar Lane, LLC, with respect to Block 3-D, Lot 11 on the Edison Township Tax Map, and more commonly known as 11 C Court South.
- R.194-042020 A resolution authorizing the discharge of mortgage pertaining to assistance made available under the Township's Community Development Block Grant Program regarding Block 817, Lot 43 (32 Walnut Street).
- R.195-042020 Resolution authorizing refund in the amount of \$ 47,434.00 for redemption of tax sales certificates.
- R.196-042020 Report of Disbursements through April 2, 2020

24. **COMMUNICATION:**

- a. Letter received from residents of Marion Street requesting Residential Permit Parking.

25. **ORAL PETITIONS AND REMARKS**

26. **ADJOURNMENT**

ORDINANCE O.2066-2020

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

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

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

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

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

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

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

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

- A. The Township must allow leave with full pay for any period of State active duty. The Township must allow leave for up to ninety (90) aggregate work days per calendar year with full pay for any period of Federal active duty or active duty training. If leave extends into a new calendar year, the employee will be eligible to receive full pay for an additional ninety (90) aggregate work days of Federal active duty or active duty training for that calendar year.
- B. For employees who are called to Federal active duty service in a Combat Zone, the Township will provide paid military leave for an additional ninety (90) aggregate work days per calendar year following the expiration of the initial, mandatory ninety (90) aggregate work days per calendar year.
 - For employees who are commissioned officers, such additional paid military leave is limited to differential pay, which shall be calculated as the

difference between the employee's Township pay and his/her all-inclusive military pay.

- C. After expiration of ninety (90) aggregate work days per calendar year for any period of Federal active duty or active duty training, or after the expiration of one-hundred and eighty (180) aggregate work days per calendar year for employees who are called to Federal active duty service in a Combat Zone:
- The Township has no obligation to pay the employee.
 - If the employee wishes to continue with Township based health benefits, the employee must pay the premiums for said benefits.
 - If the employee chooses to suspend Township health benefits while on active duty training, said benefits will be reinstated immediately upon return to work.
- D. The employee will continue to accrue vacation, personal and sick time during each period of military leave.
- E. The employee does not lose seniority while on military leave.
- F. The employee may (if he/she opts to do so) utilize accrued vacation, personal or accumulated time (but not sick time) for active duty training and/or Federal active duty service that exceeds 90 paid days, but cannot be forced to do so.

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

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

- A. The Township must allow leave with full pay for up to thirty (30) aggregate work days per calendar year for any period of active duty training and/or service. If leave extends into a new calendar year, the employee will be eligible to receive full pay for an additional thirty (30) days of active duty training and/or service for that calendar year.
- B. Following the expiration of the statutory, mandated thirty (30) aggregate work days per calendar year for any period of active duty training and/or service, the Township will provide paid military leave for an additional sixty (60) aggregate work days per calendar year for any period of active duty training and/or service.
- For employees who are commissioned officers, such additional paid military leave is limited to differential pay, which shall be calculated as the difference between the employee's Township pay and his/her all-inclusive military pay.

- C. For employees who are called to active duty service in a Combat Zone, the Township will provide paid military leave for an additional ninety (90) aggregate work days per calendar year following the expiration of the initial, mandatory ninety (30) aggregate work days per calendar year and additional sixty (60) aggregate work days per calendar year for any period of active duty training and/or service.
- For employees who are commissioned officers, such additional paid military leave is limited to differential pay, which shall be calculated as the difference between the employee's Township pay and his/her all-inclusive military pay.
- D. After expiration of ninety (90) aggregate work days per calendar year for any period of active duty or active duty training, or after the expiration of one-hundred and eighty (180) aggregate work days per calendar year for employees who are called to active duty service in a Combat Zone:
- The Township has no obligation to pay the employee.
 - If the employee wishes to continue with Township based health benefits, the employee must pay the premiums for said benefits.
 - If the employee chooses to suspend Township health benefits while on active duty training, said benefits will be reinstated immediately upon return to work.
- E. The employee will continue to accrue vacation, personal and sick time during each period of military leave.
- F. The employee does not lose seniority while on military leave.
- G. The employee may (if he/she opts to do so) utilize accrued vacation, personal or accumulated time (but not sick time) for active duty training and/or Federal active duty service that exceeds 90 paid days, but cannot be forced to do so.

III. INACTIVE DUTY TRAINING

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

- A. The Township may, upon request and subject solely to the Township's discretion, allow leave with full pay for any period of inactive duty training.
- For employees who are commissioned officers, such additional paid military leave, if granted, is limited to differential pay, which shall be calculated as the difference between the employee's Township pay and his/her all-inclusive military pay.
- B. The employee will continue to accrue vacation, personal and sick time during each period of military leave.

- C. The employee does not lose seniority while on military leave.
- D. If the Township does not provide full pay for inactive duty training, the employee may (if he/she opts to do so) utilize accrued vacation, personal or accumulated time (but not sick time) for inactive duty training for which the Township does not provide paid military leave, but cannot be forced to do so.

IV. SEVERABILITY

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

V. EFFECTIVE DATE

This ordinance shall take effect as of March 2, 2020.

RESOLUTION R.171-042020

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
EDISON FOR THE PERIOD ENDING MARCH 19, 2020

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township
Council a Report of Disbursements made through, March 19, 2020.

FUND	AMOUNT
Current	\$105,762,448.47
Affordable Housing	2,921.88
Capital	22,499.28
Cash Performance	0.00
CDBG	7,169.87
Developers Escrow	83,735.37
Dog (Animal Control)	8,831.39
Federal Forfeited	0.00
Grant Funds	4,137.43
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	1,060,001.93
Sanitation Fund	329,749.62
Self Insurance	0.00
Sewer Utility	130,952.23
Tax Sale Redemption	148,344.99
Tree Fund	0.00
Tree Planting	8,625.00
Trust	229,156.37
Edison Water Utility	193,286.27
Edison Landfill Closure Trust	0.00
TOTAL	\$107,991,860.10

/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.172-042020

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 **\$166,022.45**.

RESOLUTION R.173-042020

EXPLANATION: A Resolution authorizing the conversion of the Snow Removal Trust to a “Storm Recovery Trust,” pursuant to *N.J.S.A. 40A:4-62.1*.

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

WHEREAS, the Township of Edison established a “Snow Removal Trust” (the “**Trust**”); and

WHEREAS, *N.J.S.A. 40A:4-62.1* permits municipalities to utilize storm recovery funds for any purpose necessary to protect the safety, security, health safety and welfare of its citizens from the damage caused by an emergency declared by the Governor or the President of the United States.

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 existing Snow Removal Trust is hereby converted to a “Storm Recovery Trust” within the meaning of *N.J.S.A. 40A:4-62.1*.

Section 3. In accordance with *N.J.S.A. 40A:4-62.1*, any reimbursement of amounts expended from the Storm Recovery Trust shall be deposited back to the Trust and held in reserve.

Section 4. That the Municipal Clerk is hereby directed to file a certified copy of this resolution with the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey

Section 5. This Resolution shall take effect immediately.

RESOLUTION R.174-042020

EXPLANATION: This Resolution authorizes the settlement of tax appeal filed by Navneet Kaur and Shaliender Rai for the Tax Years 2018 and 2019.

WHEREAS, Navneet Kaur and Shaliender Rai (“Taxpayers”), the owners of property located at 1657 Woodland Avenue, Block 415, Lot 94 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the years 2018 and 2019 with the Tax Court of New Jersey under Docket Numbers 012352-2018 and 012144-2019.

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

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

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

WHEREAS, the property was originally assessed as follows:

	<u>2018</u>	<u>2019</u>
Land:	\$152,400.00	\$152,400.00
Improvements:	<u>\$483,400.00</u>	<u>\$483,400.00</u>
Total:	\$635,800.00	\$635,800.00

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

	<u>2018</u>	<u>2019</u>
Land:	\$152,400.00	\$152,400.00
Improvements:	<u>\$417,600.00</u>	<u>\$417,600.00</u>
Total:	\$570,000.00	\$570,000.00

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

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

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

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayers and “Sitar Law Offices, LLC, Attorney Trust Account” and forwarded to William J. Sitar, Esq., Sitar Law Offices, LLC, 1481 Oak Tree Road, Iselin, New Jersey 08830 within sixty (60) days of the date of the entry of the judgment; and

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

WHEREAS, pursuant to the settlement approved herein, the Taxpayers are entitled to a refund in the amount of \$3,468.98 for 2018 and \$3,558.46 for 2019

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

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

	<u>2018</u>	<u>2019</u>
Land:	\$152,400.00	\$152,400.00
Improvements:	<u>\$417,600.00</u>	<u>\$417,600.00</u>
Total:	\$570.000.00	\$570.000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2018 and 2019 under Docket Numbers 012352-2018 and 012144-2019 by the Taxpayers, owners of the property located 1657 Woodland Avenue, Block 415, Lot 94 .
4. The Freeze Act will apply to the judgments to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

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

RESOLUTION R.175-042020

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by Raritan Plaza III, LLC for the Tax Years 2015 through 2020

WHEREAS, Raritan Plaza III, LLC (“Taxpayer”), the owner of property located 105 Fieldcrest Avenue, Block 390.F, Lot 3 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2015, 2016, 2017, 2018, 2019, and 2020 with the Tax Court of New Jersey under Docket Numbers 005693-2015, 000695-2016, 005668-2017, 000809-2018, 001695-2019 and 002489-2020.

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

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

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

WHEREAS, Block 390.F, Lot 3, the property was originally assessed for the 2015-2020 Tax Years as follows:

Land:	\$ 4,721,500.00
Improvements:	<u>\$ 7,722,100.00</u>
Total:	\$12,443,600.00

WHEREAS, the proposed settlement provides for an assessment of the 2015-2020 Tax Years as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Land:	\$ 4,721,500.00	\$ 4,721,500.00	\$ 4,721,500.00
Improvements:	<u>\$ 7,722,100.00</u>	<u>\$ 7,722,100.00</u>	<u>\$ 7,722,100.00</u>
Total:	\$12,443,600.00	\$12,443,600.00	\$12,443,600.00
	<u>2018</u>	<u>2019</u>	<u>2020</u>
Land:	\$ 4,721,500.00	\$4,721,500.00	\$4,721,500.00
Improvements:	<u>\$ 7,222,100.00</u>	<u>\$5,722,100.00</u>	<u>\$4,722,100.00</u>
Total:	\$11,943,600.00	\$10,443,600.00	\$9,443,600.00

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

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

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

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Raritan Plaza III, LLC and Brach Eichler L.L.C.” and forwarded to Daniel J. Pollak, Esq. within sixty (60) days of the date of the entry of the judgments; and

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

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$27,460.00 for 2018, \$112,560.00 for 2019, and \$168,840.00 estimated for 2020..**

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

1. For Block 390.F, Lot 3 for the 2015 through 2020 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Land:	\$ 4,721,500.00	\$ 4,721,500.00	\$ 4,721,500.00
Improvements:	<u>\$ 7,722,100.00</u>	<u>\$ 7,722,100.00</u>	<u>\$ 7,722,100.00</u>
Total:	\$12,443,600.00	\$12,443,600.00	\$12,443,600.00
	<u>2018</u>	<u>2019</u>	<u>2020</u>
Land:	\$ 4,721,500.00	\$4,721,500.00	\$4,721,500.00
Improvements:	<u>\$ 7,222,100.00</u>	<u>\$5,722,100.00</u>	<u>\$4,722,100.00</u>
Total:	\$11,943,600.00	\$10,443,600.00	\$9,443,600.00

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

The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Properties for Tax Appeals filed for the years 2015, 2016, 2017, 2018, 2019, and 2020 under Docket Numbers 005693-2015, 000695-2016, 005668-2017, 000809-2018, 001695-2019 and 002489-2020 by the Taxpayer, owner of the Property located at 105 Fieldcrest Avenue, Block 390.F, Lot 2.

3. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
4. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

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

RESOLUTION R.176-042020

EXPLANATION: This Resolution authorizes the settlement of tax appeal filed by Jersey Global, LLC for the Tax Years 2018 and 2019 and Petition of Appeal filed for Tax Year 2020.

WHEREAS, Jersey Global, LLC (“Taxpayer”), the owner of property located at 1897 Woodbridge Avenue, Block 212, Lot 41.01, on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeal for the tax years 2018 and 2019 with the Tax Court of New Jersey under Docket Nos. 005886-2018 and 002128-2019 and a Petition of Appeal for the tax year 2020 with the Middlesex County Board of Taxation under Appeal No. 05-2000013L;

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

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

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

WHEREAS, the property was originally assessed as follows:

	<u>2018</u>	<u>2019</u>	<u>2020</u>
Land:	\$ 370,600.00	\$370,600.00	\$ 370,600.00
Improvements:	<u>\$ 901,600.00</u>	<u>\$901,600.00</u>	<u>\$ 901,600.00</u>
Total:	\$1,272,200.00	\$1,272,200.00	\$1,272,200.00

WHEREAS, the proposed settlement provides for an assessment of the 2018 through 2020 Tax Years as follows:

	<u>2018</u>	<u>2019</u>	<u>2020</u>
Land:	\$ 370,600.00	\$370,600.00	\$ 370,600.00
Improvements:	<u>\$ 629,400.00</u>	<u>\$629,400.00</u>	<u>\$ 629,400.00</u>
Total:	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00

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

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

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

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Taxpayer and Trust Account of Eric Salant, Esq.” and forwarded to Eric Salant, Esq., 998 Holmdel Road, Holmdel, New Jersey 07733 within sixty (60) days of the date of the entry of the Tax Court Judgments and Memorandum of Judgment; and

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

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

1. For the 2018, 2019 and 2020 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2018</u>	<u>2019</u>	<u>2020</u>
Land:	\$ 370,600.00	\$370,600.00	\$ 370,600.00
Improvements:	<u>\$ 629,400.00</u>	<u>\$629,400.00</u>	<u>\$ 629,400.00</u>
Total:	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00

2. **WHEREAS**, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$14,949.22** in 2018 and **\$15,319.42** in 2019 and 2020.
3. Interest is waived on the refund, provided such refund is provided as specified herein; and
4. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2018 and 2019 under Docket Nos. 005886-2018 and 002128-2019 and a Stipulation of Settlement for the year 2020 under Petition of Appeal No. 05-2000013L by the Taxpayer, owner of the property located 1897 Woodbridge Avenue, Block 212, Lot 41.01.
5. The Freeze Act will apply to the judgment to be issued by the Middlesex County Board of Taxation; and
6. The Form of the Stipulations of Settlement are annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

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

RESOLUTION R.177-042020

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by Ben Hur, LLC c/o In Mocean for the Tax Years 2014 through 2019.

WHEREAS, Ben Hur, LLC In Mocean ("Taxpayer"), the owner of property located 30 Ethel Road, Block 21, Lot 6.B on the Township of Edison's Tax Assessment Maps ("Property"), filed Tax Appeals for the years 2014, 2015, 2016, 2017 and 2019 with the Tax Court of New Jersey under Docket Numbers 003720-2014, 002731-2015, 004547-2016, 004377-2017, 002006-2018 and 003433-2019.

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

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

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

WHEREAS, Block 21, Lot 6.B, the property was originally assessed for the 2014-2019 Tax Years as follows:

Land:	\$ 928,000.00
Improvements:	<u>\$2,312,000.00</u>
Total:	\$3,240,000.00

WHEREAS, the proposed settlement provides for an assessment of the 2015-2020 Tax Years as follows:

	<u>2014</u>	<u>2015</u>	<u>2016</u>
Land:	\$ 928,000.00	\$ 928,000.00	\$ 928,000.00
Improvements:	<u>\$1,865,200.00</u>	<u>\$2,112,000.00</u>	<u>\$2,112,000.00</u>
Total:	\$2,793,200.00	\$3,040,000.00	\$3,040,000.00
	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$ 928,000.00	\$ 928,000.00	\$ 928,000.00
Improvements:	<u>\$2,312,000.00</u>	<u>\$2,312,000.00</u>	<u>\$2,312,000.00</u>
Total:	\$3,240,000.00	\$3,240,000.00	\$3,240,000.00

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

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

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

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the "Ben Hur, LLC c/o Inn Mocean and Michael A. Vespasiano, Attorney Trust Account" and forwarded to Michael A. Vespasiano, Esq. within sixty (60) days of the date of the entry of the judgments; and

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

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$22,009.36 for 2014, \$10,148.00 for 2015, and \$10,552.00 for 2016.**

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

7. For Block 21, Lot 6.B for the 2014 through 2019 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2014</u>	<u>2015</u>	<u>2016</u>
Land:	\$ 928,000.00	\$ 928,000.00	\$ 928,000.00
Improvements:	<u>\$1,865,200.00</u>	<u>\$2,112,000.00</u>	<u>\$2,112,000.00</u>
Total:	\$2,793,200.00	\$3,040,000.00	\$3,040,000.00

	<u>2017</u>	<u>2018</u>	<u>2019</u>
Land:	\$ 928,000.00	\$ 928,000.00	\$ 928,000.00
Improvements:	<u>\$2,312,000.00</u>	<u>\$2,312,000.00</u>	<u>\$2,312,000.00</u>
Total:	\$3,240,000.00	\$3,240,000.00	\$3,240,000.00

8. Interest is waived on the refund, provided such refund is provided as specified herein; and
9. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Properties for Tax Appeals filed for the years 2014, 2015, 2016, 2017, 2018, and 2019 under Docket Numbers 003720-2014, 002731-2015, 004547-2016, 004377-2017, 002006-2018 and 003433-2019 for Property located at 30 Ethel Road, Block 21, Lot 6.B; and.
10. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
11. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

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

RESOLUTION R.178-042020

EXPLANATION: This Resolution authorizes the settlement of tax appeal filed by Nirmal & Santosh B. Khanna for the Tax Year 2018.

WHEREAS, Nirmal & Santosh B. Khanna ("Taxpayer"), the owner of property located 817 Inman Avenue, Block 501, Lot 12.A on the Township of Edison's Tax Assessment Maps ("Property"), filed Tax Appeal for the year 2018 with the Tax Court of New Jersey under Appeal Number 05-1800182L.

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

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

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

WHEREAS, the property was originally assessed as follows:

	<u>2018</u>
Land:	\$180,000.00
Improvements:	<u>\$291,300.00</u>
Total:	\$471,300.00

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

	<u>2018</u>
Land:	\$180,000.00
Improvements:	<u>\$291,300.00</u>
Total:	\$471,300.00

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

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

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

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the "Taxpayer and Trust Account of Sitar Law Offices, LLC" and forwarded to William J. Sitar, Esq., 1481 Oak Tree Road Iselin, New Jersey 08830 within sixty (60) days of the date of the entry of the judgment; and

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

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

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

	<u>2018</u>
Land:	\$180,000.00
Improvements:	<u>\$256,300.00</u>

Total: \$436,300.00

As part of the Stipulation of Settlement, the 2019 assessment was to be reduced as follows:

	<u>2018</u>
Land:	\$180,000.00
Improvements:	<u>\$236,200.00</u>
Total:	\$416,300.00

The 2019 Tax Assessment was not reduced to \$416,300.00 in accordance to the Stipulation of Settlement.

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$1,081.60 for 2019.

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the year 2015 under Appeal Number 05-1800182L by the Taxpayer, owner of the property located 141 Fieldcrest Avenue, Block 501, Lot 12.A.
4. The Freeze Act will not apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

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

RESOLUTION R.179-042020

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Bipin-Seth Inc. c/o Days Inn for the Tax Years 2013, 2014 2015, 2016, 2017, and 2018.

WHEREAS, Bipin-Seth Inc. c/o Days Inn ("Taxpayer"), the owner of properties located 610 United States Route 1, Block 179.A, Lot 1.D1 and Block 179.A, Lot 1.G on the Township of Edison's Tax Assessment Maps ("Properties"), filed Tax Appeals for the years 2013, 2014, 2015, 2016, 2017, and 2018 with the Tax Court of New Jersey under Docket Numbers 003003-2013, 003719-2014, 002730-2015, 004545-2016, 004378-2017 and 002007-2018.

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

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

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

WHEREAS, Block 179. A, Lot 1.D1 the property was originally assessed for the 2013-2018 Tax Years as follows:

Land:	\$ 411,600.00
Improvements:	<u>\$1,058,200.00</u>
Total:	\$1,469,800.00

WHEREAS, the proposed settlement provides for an assessment of the 2013-2018 Tax Years as follows:

	<u>2013</u>	<u>2014</u>	<u>2015</u>
Land:	\$ 411,600.00	\$ 411,600.00	\$ 411,600.00
Improvements:	<u>\$1,058,200.00</u>	<u>\$1,058,200.00</u>	<u>\$1,058,200.00</u>
Total:	\$1,469,800.00	\$1,469,800.00	\$1,469,800.00
	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$ 411,600.00	\$ 411,600.00	\$ 411,600.00
Improvements:	<u>\$ 836,000.00</u>	<u>\$ 820,700.00</u>	<u>\$ 775,500.00</u>
Total:	\$1,247,600.00	\$1,232,300.00	\$1,187,100.00

WHEREAS, 179.A, Lot 1.G the property was originally assessed for the 2013-2018 Tax Years as follows:

Land:	\$217,200.00
Improvements:	<u>\$ 0.00</u>
Total:	\$217,200.00

WHEREAS, the proposed settlement provides for an assessment of the 2013 through 2018 Tax Years as follows:

Land:	\$217,200.00
Improvements:	<u>\$ 0.00</u>
Total:	\$217,200.00

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

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

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

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the "Taxpayer and Michael A. Vespasiano, Attorney Trust Account" and forwarded to Michael A. Vespasiano, Esq., Law Offices of Michael A. Vespasiano, 331 Main Street, Chatham, New Jersey 07928 within sixty (60) days of the date of the entry of the judgments; and

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

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$11,723.27 for 2016, \$12,768.00 for 2017, \$15,525.88 for 2018 and \$15,910.36 for 2019 for the Freeze Act.**

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

12. For Block 179.A, Lot 1.D1 for the 2013 through 2018 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2013</u>	<u>2014</u>	<u>2015</u>
Land:	\$ 411,600.00	\$ 411,600.00	\$ 411,600.00
Improvements:	<u>\$1,058,200.00</u>	<u>\$1,058,200.00</u>	<u>\$1,058,200.00</u>
Total:	\$1,469,800.00	\$1,469,800.00	\$1,469,800.00

	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$ 411,600.00	\$ 411,600.00	\$ 411,600.00
Improvements:	<u>\$ 836,000.00</u>	<u>\$ 820,700.00</u>	<u>\$ 775,500.00</u>
Total:	\$1,247,600.00	\$1,232,300.00	\$1,187,100.00

13. For Block 179.A, Lot 1.G, for the 2013-2018 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

Land:	\$217,200.00
Improvements:	<u>\$ 0.00</u>
Total:	\$217,200.00

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

15. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Properties for Tax Appeals filed for the years 2013, 2014, 2015, 2016, 2017, and 2018 under Docket Numbers 003003-2013, 003719-2014, 002730-2015, 004545-2016, 004378-2017 and 002007-2018, by the Taxpayer, owner of the properties located at 610 United States Route. 1, Block 179.A, Lot 1.D1 and Block 179.A, Lot 1.G.

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

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

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

RESOLUTION R.180-042020

Nettles Edison, LLC, Walgreens Pharmacy, 81 Plainfield Avenue, Edison, NJ 08817,
Block 256, Lot 9-33

Release of Balance on Performance Surety Bond & Cash Performance Bond

WHEREAS, Walgreens Eastern Co., having offices at 200 Wilmot Road, Deerfield, IL 60015, posted a Performance Surety Bond #6547772 on August 14, 2007 of Safeco Insurance Company of America, having offices at Safeco Plaza, Seattle, WA 98185 in the amount of \$343,363.96, to guarantee the installation of improvements for the project known as Walgreens Pharmacy located in Block 256 and Lot #9-33 and designated Application #Z26-06/07; and

WHEREAS, a Cash Performance Bond was posted on April 8, 2008, by Check #400370306 of Patelco Credit Union, in the amount of \$38,151.56 and deposited in Account# 7760013342.

WHEREAS a final inspection of the constructed improvements has been made, and the Township Engineer has determined that the project has been satisfactorily completed; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Final Acceptance of the improvements be granted, and that the Performance Surety Bond #6547772 of \$343,363.96 be released.

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of **\$ 38,857.71**, plus accrued interest as applicable, on deposit in Account #7760013342 to Walgreens Eastern Company Inc., having offices at 104 Wilmot Road MS 1435, Deerfield, IL 60015.

RESOLUTION R.181-042020

WHEREAS, On January 19, 2018, John Huang, posted Tree Maintenance Bond fees in the amount of \$600.00, with Check No. 260 on deposit with the Township of Edison in account #TP180119JO 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 14 Longview Rd, Block 557.B, Lot 8.F, 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 \$600.00 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 600.00 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 600.00, plus any accrued interest as applicable, on deposit in Account #TP180119JO to John Huang , 14 Longview Rd, Edison NJ 08820, for the referenced property at 14 Longview Road, Edison, NJ, 08820, Block 557.B, Lot 8.F

RESOLUTION R.182-042020

**AUTHORIZING THE TRANSFER OF FUNDS IN THE CALENDAR YEAR 2019 CURRENT FUND
BUDGET APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-59**

WHEREAS, N.J.S.A. 40A:4-59 authorizes the transfer of funds during the last two months of a fiscal year and during the first three months of the subsequent fiscal year; and

WHEREAS, certain calendar year 2019 appropriations as budgeted are insufficient to meet the needs for which those appropriations were originally established while certain other appropriations appear to have surplus balances not currently needed to pay claims for which they were budgeted; and

WHEREAS, the following details explain the accounts to which funds need to be transferred and the accounts from which funds will be transferred from to insure that adequate appropriation balances exist where needed to pay approved claims against the Township;

FROM:

Engineering S&W
9-01-20-0165-000-021 \$ 75,000.00

Planning & Zoning O/E
9-01-21-0186-000-028 \$100,000.00

Code Enforcement S&W
9-01-22-0195-000-011 \$300,000.00

Police S&W
9-01-25-0240-000-011 \$1,800,000.00

Fire S&W
9-01-25-0265-000-011 \$500,000.00

TOTAL \$2,775,000,000.00

TO:

Employee Group Health Other Expenses
9-01-23-0220-000-250 \$2,775,000.00

TOTAL \$2,775,000.00

NOW, THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY, THAT the proper Township Officials are hereby authorized to transfer funds as indicated on the annexed spread sheet from those designated appropriations having apparent surplus balances to those designated appropriations having apparent insufficient balances to insure that adequate appropriation balances exist where needed.

RESOLUTION R.183-042020

EXPLANATION: Resolution refunding Cash Performance Bond to SAI Construction Services Inc., 375 Raritan Center Parkway, Application # P6-2012, Account # CP170830SA Performance Surety Bond#FP0023322 First Indemnity of America Insurance Company

WHEREAS, Resolution refunding Cash Performance Bond to SAI Construction Inc. 375 Raritan Center Parkway, Application # P6-2012, **Account # CP170830SA - \$6,330.25 plus any accrued interest** ,also posted a Performance Surety Bond **#FP0023322** First Indemnity of America Insurance Company in the amount of **\$56,972.27** posted SAI Construction Inc. , having offices at 110 Fieldcrest Avenue, Edison, NJ 08837, to guarantee the installation of improvements for the project 375 Raritan Center Parkway located in Block 395 Lots:6

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON: that the Township Clerk hereby authorized to return the Performance Bond **NO. FP0023322** in the amount of **\$ 56,972.27** of First Indemnity Insurance Company Corporation, SAI Construction Inc. having offices at 110 Fieldcrest Avenue, Edison, NJ 08837 also The Finance Department hereby is authorized to return the Cash Performance Bond in Account **CP170830SA of \$6,330.25** plus accrued interest if any

RESOLUTION R.184-042020

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000396, to the following:

Permit Number: DEV-0147

Opening Location: 69 MINEOLA PL

Block/Lot: 66/50

Applicant's Name & Address:

**DAVID EISNER
69 MINEOLA PL
EDISON NJ 08817**

Initial Deposit Date: 09/24/2019

Deposit Amount: \$2,880.00

Paid by & refunded to:

**DAVID EISNER
69 MINEOLA PL
EDISON NJ 08817**

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

RESOLUTION R.185-042020

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000303, to the following:

Permit Number: DEV-0027

Opening Location: 71 STURGIS RD

Block/Lot: 1138/31

Applicant's Name & Address:

**CHONGWON KIM
71 STURGIS RD
EDISON, NJ 08817**

Initial Deposit Date: 07/28/2018

Deposit Amount: \$560.00

Paid by & refunded to:

**CHONGWON KIM
71 STURGIS RD
EDISON, NJ 08817**

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

RESOLUTION R.186-042020

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

WHEREAS, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by May 30, 2020 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2020 Calendar Year Budget,

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

<u>CURRENT FUND</u>	<u>AMOUNT</u>
BUSINESS ADMINISTRATOR Salary	122,438.42
BUSINESS ADMINSTRATOR Other Expenses	7,178.75
PURCHASING Salary	63,487.63
PURCHASING Other Expenses	7,682.75
PURCHASING CENTRAL STORE Other Expenses	5,195.33
COMMUNICATIONS/EDISON TV Salary	40,629.14
COMMUNICATIONS/EDISON TV Other Expenses	4,616.67
PERSONNEL/HR Salary	53,013.37
PERSONNEL/HR Other Expenses	17,144.62
MAYOR Salary	11,307.72
MAYOR Other Expenses	200.00
COUNCIL Salary	13,000.07
COUNCIL Other Expenses	2,073.33
MUNICIPAL CLERK Salary	45,424.40
MUNICIPAL CLERK Other Expenses	21,508.33
ETHICS COMMISSION Other Expenses	833.33
FINANCE DEPARTMENT Salary	1,800.00
FINANCE DEPARTMENT Other Expenses	10,620.83
DISBURSEMENTS Salary	64,040.14

DISBURSEMENTS Other Expenses	342.00
PAYROLL Salary	12,561.67
PAYROLL Other Expenses	4,081.00
AUDIT SERVICES	6,007.33
DATA PROCESSING Other Expenses	
TAX COLLECTION Salary	48,957.90
TAX COLLECTION Other Expenses	2,514.17
TAX ASSESSMENT Salary	48,581.55
TAX ASSESSMENT Other Expenses	13,916.67
LEGAL DEPARTMENT Salary	5,000.79
LEGAL DEPARTMENT Other Expenses	61,666.67
ENGINEERING SERVICES Salary	96,698.71
ENGINEERING SERVICES Other Expenses	23,890.08
PLANNING BOARD Other Expenses	2,433.33
ENVIRONMENTAL COMM Other Expenses	108.33
ZONING BOARD Other Expenses	2,183.33
PLANNING & ZONING DEPT Salary	26,879.16
PLANNING & ZONING Other Expenses	8,500.00
CONSTRUCTION ENFORC AGENCY Salary	87,936.38
CONST ENF AGENCY Other Expenses	30,791.67
RENT CONTROL BOARD Salary	4,100.50
RENT CONTROL BOARD Other Expenses	116.67
GROUP HEALTH INSURANCE	5,956,809.71
EMPLOYEE SALARY AND WAGES(WAIVERS)	246,615.75
UNEMPLOYMENT INSURANCE EXPENSE	0.00
INSURANCE & SURETY Expense	10,000.00
LOSAP-Other Expenses	8,333.33

POLICE DEPARTMENT Salary	3,114,879.95
POLICE DEPARTMENT Other Expenses	96,479.17
DISPATCH 911 Salary	183,416.37
DISPATCH 911 Other Expenses	45,375.00
OFFICE OF EMRGNCY MGMT Other Expenses	1,250.00
AID TO VOL FIRE	0.00
AID TO VOL FIRST AID	0.00
FIRE FIGHTING Salary	2,452,299.26
FIRE FIGHTING Other Expenses	82,489.17
FIRE PREVENTION Salary	34,057.69
FIRE PREVENTION Other Expenses	9,316.67
FIRE HYDRANT CHARGES	134,093.58
STREETS & ROADS Salary	65,536.84
STREETS & ROADS Other Expenses	27,066.67
SOLID WASTE RECYCLING Salary	32,122.60
SOLID WASTE RECYCLING Other Expenses	5,125.00
BUILDINGS & GROUNDS Salary	143,898.74
BUILDINGS & GROUNDS Other Expenses	19,333.33
MUNICIPAL GARAGE Salary	152,114.41
MUNICIPAL GARAGE Other Expenses	7,991.67
POLICE VEHICLES Salary	31,343.16
POLICE VEHICLES Other Expenses	19,237.50
CONDO COMMUNITY COSTS	13,333.33
HEALTH Salary	153,257.50
HEALTH Other Expenses	17,158.33
SENIOR CITIZEN Salary	51,066.42
SENIOR CITIZEN Other Expenses	8,312.50

RECREATION Salary	218,917.58
RECREATION Other Expenses	48,358.67
PARKS & TREES Salary	80,526.41
PARKS & TREES Other Expenses	6,483.33
FREE PUBLIC LIBRARY Salary	160,177.46
FREE PUBLIC LIBRARY Other Expenses	164,639.44
CELEBRATION OF PUBLIC EVENTS EXPENSES	5,083.33
PUBLIC BUILDINGS HEAT,LIGHT,POWER	78,822.42
STREET LIGHTING EXPENSE	91,666.67
PUBLIC BUILDINGS TELEPHONE	20,833.33
FUEL & LUBRICANTS Other Expenses	67,987.08
CONTINGENT Expense	4,166.67
O.A.S.I. (SOCIAL SECURITY) Expense	200,324.63
Defined Contribution Retirement Program Expenses	6,000.00
MUNICIPAL COURT Salary	78,780.77
MUNICIPAL COURT Other Expenses	4,755.83
PUBLIC DEFENDER Salary	2,916.67
PUBLIC DEFENDER Other Expenses	166.67
TOTAL CURRENT FUND	<u><u>15,342,383.35</u></u>

SEWER UTILITY FUND

AMOUNT

SEWER Salary	102,098.66
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SEWER Other Expenses	626,207.45
SEWER Sewerage Disposal Charges	830,896.10
SEWER Public Emp Retirement Sys (PERS)	
SEWER Social Security (OASI)	6,000.00
TOTAL SEWER UTILITY FUND	1,565,202.21

SANITATION FUND	AMOUNT
SANITATION Salary	215,530.55
SANITATION Other Expenses	572,124.25
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	298,605.50
SANITATION Public Emp Retirement Sys (PERS)	
SANITATION Social Security (OASI)	10,000.00
SANITATION Disposal Fees	200,000.00
TOTAL SANITATION FUND	1,296,260.30

WATER UTILITY FUND	AMOUNT
WATER Salary	161,846.54
WATER Other Expenses	240,721.33
WATER Bulk Water Purchase	585,416.67
WATER Capital Outlay	125,000.00
WATER Public Emp Retirement Sys (PERS)	
WATER Social Security (OASI)	10,000.00
TOTAL WATER UTILITY FUND	1,122,984.54

RESOLUTION R.187-042020

**EXPLANATION: Resolution Refunding Cash Performance to Top Golf USA, Edison LLC
Application # P42-07/08 in Account # 7763342597**

WHEREAS, the Township Engineer advises that an inspection has been made of Top Golf USA, Edison LLC Application # P42-07/08, Route 1, Block: 198L Lot: 37.04 and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance posted on in the amount of **\$37,990.16** plus accrued interest, if applicable on deposit in account **#7763342597** with the Township of Edison, principal being Top Golf USA, Edison LLC, having offices at 8750 N. Central Expressway, Suite 1200, Dallas, TX 75231 and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to return the aforesaid Cash Performance in the amount of **\$37,990.16** plus accrued interest, if applicable, on deposit in account **#7763342597** to the applicant,, being Top Golf USA, Edison LLC having offices at 8750 N. Central Expressway, Suite 1200, Dallas, TX 75231

RESOLUTION R.188-042020

**EXPLANATION: Resolution Refunding Engineering Inspection Fees to Top Golf USA, Edison LLC
Account # 7763939625**

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject located in Block: 198L Lot: 37.04

WHEREAS, the applicant has requested the return of the unused portion of Engineering Inspection fees, as provided by law; and

WHEREAS, it is in now in order that the sum of \$28,450.04, which represents the amount due and owing the applicant, be returned to Top Golf USA, Edison LLC, 8750 N. Central Expressway, Suite 1200, Dallas, TX 75231. Account # 7763939625.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$28,450.04 plus accrued interest, if applicable, be refunded to the applicant, Account #7763939625.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of **\$28,450.04** plus accrued interest, in account #**7763939625** to the applicant, having an address of 8750 N. Central Expressway Suite 1200, Dallas, TX 75231.

RESOLUTION R.189-042020

WHEREAS: the Township of Edison Department of Health and Human Services desires to apply for and obtain a grant from the **New Jersey Department of Community Affairs Division of Community Resources Municipal Lead Abatement Pilot Program 2020**, for **\$283,822.00** for testing and abatement of Lead Based Paint in 1-4 Family Residential Properties, as well as up to 10% that may be used for related program administration costs; and

Be it therefore RESOLVED,

- 1) The **Municipal Council of the Township of Edison** does hereby authorize the application for such a grant, as well as the acceptance of the grant award and timely expenditure of such funds according to the guidelines, regulations and statutes of the **NJDCA DCR Municipal Lead Abatement Pilot Program 2020** Program; and
- 2) The **Municipal Council of the Township of Edison** recognizes and accepts that the **NJDCA DCR Municipal Lead Abatement Pilot Program 2020** may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the **New Jersey Department of Community Affairs**, does further authorize the execution of any such grant agreement. Also, upon receipt of the fully-executed agreement from the New Jersey Department of Community Affairs, the **Municipal Council of the Township of Edison** does further authorize the timely expenditure and implementation of said **NJDCA DCR Municipal Lead Abatement Pilot Program 2020** pursuant to the terms of the recognized agreement between the **Township of Edison** and the **New Jersey Department of Community Affairs**.

Be It Further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Tom Lankey
Mayor
Township of Edison

Maureen Ruane
Business Administrator
Township of Edison

CERTIFICATION:

I, **Cheryl Russomanno, Town Clerk of the Township of Edison**, New Jersey, hereby certify that at a regularly-scheduled combined Work Session/Public Meeting of the Municipal Council of the Township of Edison, held on **April 6, 2020** the above **RESOLUTION** was duly adopted.

AFFIX GOV'T,
CORPORATE OR
NOTARY SEAL

Cheryl Russomanno, Town Clerk of the Township of Edison

(04/2020)

RESOLUTION R.190-042020

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO
ANTHONY'S CONSTRUCTION INC. FOR THE CONSTRUCTION OF THE DWYER PARK CRICKET
TURF PITCH FIELD FOR THE DEPARTMENT OF RECREATION**

WHEREAS, quotes were solicited by the Township of Edison for the construction of the Dwyer Park Cricket Turf Pitch field for the Department of Recreation; and

WHEREAS, ANTHONY'S CONSTRUCTION, INC., PO Box 5505, Old Bridge, NJ 08857 submitted the lowest responsible, responsive quote in the amount of \$25,256.31; 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, ANTHONY'S CONSTRUCTION, 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 ANTHONY'S CONSTRUCTION, INC. from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$25,256.31 have been certified to be available in the Recreation – Equipment & Upgrades Account, No. C-04-18-2028-104-000; 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. All quotes have been reviewed, and the quote by ANTHONY'S CONSTRUCTION, INC., PO Box 5505, Old Bridge, NJ 08857, for the construction of the Dwyer Park Cricket Turf Pitch field for the Department of Recreation, is determined to be the lowest, responsive, and responsible quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$25,256.31, and any other necessary documents, with ANTHONY'S CONSTRUCTION, INC.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$25,256.31** are available for the above in Account No. **C-04-18-2028-104-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.191-042020

**RESOLUTION AWARDING CONTRACT TO SPARTAN FIRE, LLC FOR THE PURCHASE OF ONE (1)
MID MOUNT PLATFORM FIRE TRUCK FOR THE DIVISION OF FIRE**

WHEREAS, bids were received by the Township of Edison on March 17, 2020 for Public Bid No. 20-02-01 Mid Mount Platform Fire Truck; and

WHEREAS, SPARTAN FIRE, LLC, 907 7th Avenue North, Brandon, SD 57005 submitted the sole, legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$1,299,983.00; and

WHEREAS, funds in the amount of \$1,299,983.00 have been certified to be available in the Fire – Acquisition of Various Equipment Account, Number C-04-18-2028-101-000; 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. The sole bid has been reviewed, and the bid submitted by SPARTAN FIRE, LLC, 907 7th Avenue North, Brandon, SD 57005 for a Mid Mount Platform Fire Truck, is determined to be the sole legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$1,299,983.00, and any other necessary documents, with SPARTAN FIRE, LLC, 907 7th Avenue North, Brandon, SD 57005 as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds for the above in the amount of **\$1,299,983.00** are available in account **C-04-18-2028-101-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.192-042020

**RESOLUTION AWARDING A MONTH TO MONTH CONTRACT TO RAPID PUMP AND METER
SERVICE COMPANY, INC. EMERGENCY PUMP STATION REPAIRS**

WHEREAS, Resolution R.471-092019 awarded Contract 19-01-05-Emergency Pump Station Repairs to CLEARWATER SERVICES, 78 Beaverbrook Rd., Lincoln Park, NJ 07035; and

WHEREAS, CLEARWATER SERVICES is in default of their contract and the contract has been terminated; and

WHEREAS, the Township of Edison is awarding an emergency contract to RAPID PUMP AND METER SERVICE COMPANY, INC., PO BOX AY, 285 STRAIGHT STREET, PATERSON, NJ 07509, the next lowest bidder, on a month to month basis until this contract is rebid and awarded; and

WHEREAS, the amount of this month to month contract shall not exceed \$100,000.00, and cannot be encumbered at this time; and

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

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

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

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

1. The bid submitted by Rapid Pump and Meter Service Company, PO BOX AY, 285 Straight Street, Paterson, NJ 07509, for Emergency Pump Station Repairs for the Department of Public Works, is determined to be the next lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$100,000.00, and any other necessary documents, with RAPID PUMP AND METER SERVICE COMPANY, INC., as described herein.

RESOLUTION R.193-042020

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Segme Cedar Lane, LLC, with respect to Block 3-D, Lot 11 on the Edison Township Tax Map, and more commonly known as 11 C Court South.

WHEREAS, Block 3-D, Lot 11, more commonly known as 11 C Court South, as shown on the Township of Edison tax maps (the "**Property**") was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "**Board**") made by Segme Cedar Lane, LLC ("**Developer**") requesting amended final site plan approval to permit the construction of a 699,600 square foot warehouse with ancillary office space at the Property (the "**Project**"); and

WHEREAS, the Board granted amended site plan approval for the Project by adoption of a resolution on March 18, 2020 (the "**Resolution**"); and

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

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

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

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

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

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

3. This Resolution shall take effect immediately.

RESOLUTION R.194-042020

EXPLANATION: **A resolution authorizing the discharge of mortgage pertaining to assistance made available under the Township's Community Development Block Grant Program regarding Block 817, Lot 43 (32 Walnut Street).**

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

WHEREAS, under the powers vested in the Township by United States Department of Housing and Urban Development, Community Development Block Grant Program, the Township entered into a mortgage concerning Block 817, Lot 43 on the Township's Tax Maps (aka 32 Walnut Street) (the "Property") dated October 27, 2015 (the "Mortgage"); and

WHEREAS, the municipal council of the Township (the "Municipal Council") hereby directs and authorizes that the Mayor and Township Clerk be authorized to execute a Discharge of Mortgage (attached hereto as Exhibit A) for the Property which was made to secure the Mortgagors' obligations pursuant to a certain Mortgage Note, and which Mortgage was recorded in the Middlesex County Clerk's Office on March 24, 2016; and

WHEREAS, upon execution of the Discharge of Mortgage the Municipal Council directs that the Discharge of Mortgage be filed with the Middlesex County Clerk's Office for recording; and

WHEREAS, the Discharge of Mortgage acknowledges that the Mortgage has been paid in full or otherwise satisfied and discharged and that the Mortgage is now cancelled and void.

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

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

Section 2. The Municipal Council hereby authorizes and directs the Mayor to execute a Discharge of Mortgage (attached hereto as Exhibit A) for the Property, which was made to secure the Mortgagor's obligations pursuant to a certain Mortgage Note, which Mortgage was recorded in the Middlesex County Clerk's Office on March 24, 2016 with regard to Block 817, Lot 43 on the Township's Tax Maps (aka 32 Walnut Street), and dated October 27, 2015.

Section 3. Upon the execution of the Discharge of Mortgage, the Discharge of Mortgage shall be filed with the Middlesex County Clerk's Office.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.195-042020

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 **\$47,434.00**.

April 6, 2020

RESOLUTION R.196-042020

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING APRIL 2, 2020.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, April 2, 2020.

FUND	AMOUNT
Current	\$30,461,548.81
Affordable Housing	9,977.00
Capital	1,146,218.81
Cash Performance	0.00
CDBG	0.00
Developers Escrow	52,797.95
Dog (Animal Control)	2,002.80
Federal Forfeited	0.00
Grant Funds	2,575.83
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	1,012,851.08
Sanitation Fund	153,416.74
Self Insurance	0.00
Sewer Utility	161,723.97
Tax Sale Redemption	0.00
Tree Fund	0.00
Tree Planting	0.00
Trust	130,315.57
Edison Water Utility	550,519.99
Edison Landfill Closure Trust	0.00
TOTAL	\$33,683,948.55

/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.