

**AGENDA  
MUNICIPAL COUNCIL  
WORKSESSION MEETING  
OCTOBER 26, 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 New India Times on December 13, 2019 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **REVIEW OF MINUTES:**
  - a. Combined Meeting of June 24, 2020
  - b. Combined Meeting of September 9, 2020
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
  - a. Resolution awarding Emergency (COVID19) Contract/Purchase Orders for the Installation of UV lighting in Township Municipal Building(\$269,500.00)
  - b. Resolution awarding Contract/Purchase Order to add Pan-Tilt zoom Cameras in the Council Chambers to better view and record meetings for Social Distancing due to COVID 19 (\$37,027.90)
  - c. Resolution awarding Contract/Purchase Order to upgrade current DVR Software add additional cameras to Tax Collector Counter, Fire Prevention Counter, and Outdoor Money drop box as well as increase capacity of system for future Cameras needed for social Distancing measures (\$30,092.45)
  - d. Resolution awarding Contract/Purchase Order to make all ingress and egress office doors Keyless and touchless using proximity cards motion sensors and food grips and add remote access to the front primary entry and exit doors to Town Hall (\$326,242.02)
  - e. Resolution awarding Contract/Purchase Order to Upgrade the Avaya Phone System and add call accounting and tracking for remote user access due to COVID 19 (\$93,354.40)
  - f. Resolution awarding Contract/Purchase Order for the purchase of fifty HP ProBook Laptops for the Township (\$61,000.00)
9. **FROM THE DEPARTMENT OF FINANCE:**
  - a. Report of Disbursements through October 22, 202
  - b. Resolution authorizing refund in the amount of \$6,579.89 for redemption of tax sale certificates.
  - c. Resolution authorizing refund for tax overpayments totaling, \$9,334.90.

- d. Resolution requests approval of the Best Practices Inventory Questionnaire for Calendar Year 2020.

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

- a. Resolution authorizing FY2020 Application to the University of Baltimore Competitive Subaward Solicitation Combating Opioid Overdose through Community Level Intervention.
- b. Resolution accepting Governor's council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2020 – June 2025.

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

- a. Resolution ratifying Executive Order 2-2020, issued by Mayor Thomas Lankey on October 21, 2020.
- b. A resolution temporarily amending the fee schedule at Township Code 24-4.1, regarding certain before/after school child care programs given the COVID-19 pandemic.

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

- a. Resolution authoring a Bond Reduction.
- b. Resolution Of The Township Council of The Township of Edison approving the Fiscal Year 2020 Community Development Block Grant Program and the filing of the Fiscal Year 2020-2024 Five-Year Consolidated Plan And Fy2020 Annual Action Plan
- c. Resolution of the Township Council of The Township of Edison approving the Cares Act Community Development Block Grant Cv1 and Cv3 Program.
- d. Resolution provides refund of the construction permit fee.
- e. Resolution rescinding (R.422-082020) a subsidy grant of \$85,000.00 from the Township's Affordable Housing market to Affordable Program for the purchase of a home from market to affordable.
- f. Resolution rescinding (R.426-082020) a grant of \$15,000.00 from the Township's Affordable Housing down Payment/Closing Cost Affordability Assistance Program for the purchase of an affordable housing unit by an income certified buyer.
- g. Resolution rescinding (R.372-072020) a grant of \$15,000.00 from the Township's Affordable Housing down Payment/Closing Cost Affordability Assistance Program for the purchase of an affordable housing unit by an income certified buyer.

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

- a. Resolution to release Street Opening Escrow
- b. Resolution authorizing the Township to Purchase the Chassis for Two (2) new and Unused 2020 or Newer Autocar Automated Side Loader Sanitation Trucks with Options through the Educational Services Commission of New Jersey (\$352,194.00)
- c. Resolution authorizing the Township to Purchase the Body for Two (2) new and Unused 2020 or Newer Autocar Automated Side Loader Sanitation Trucks with Options through the Educational Services Commission of New Jersey (\$308,000.00)

- d. Resolution accepting Quote and authoring the Award of a Non-Far and Open Contract to Hionis Greenhouses for Flowers/Plants for Amboy Avenue and Various Township Properties (\$8,000.00)

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

- a. Resolution authorizing the purchase Art Supplies and Handicrafts through the Educational Services commission of NJ Cooperative Pricing System (not to exceed \$5,000.00)
- b. Awarding Contract for Public Bid No. 20-03-05 Art Supplies and Handicrafts (not to exceed \$3,000.00)
- c. Resolution awarding Contract/Purchase Order for Art Supplies and Handicrafts (not to exceed \$50,000.00)

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

- a. Resolution authorizing to purchase the Body for Two (2) New and unused 2021 or Newer Ford F550 Supercab Utility Trucks with Plows and options through the Educational Services Commission of NJ for the Sewer Division (\$117,230.00).
- b. Resolution authorizing to purchase the Chassis for Two (2) New and unused 2021 or Newer Ford F550 Supercab Utility Trucks with Plows and options from the Educational Services Commission of NJ for the Sewer Division (\$102,478.16).

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

- a. Resolution authorizing the purchase of One (1) 2021 Chevrolet Tahoe through the Educational Services Commission of NJ (\$38,345.26)
- b. Awarding Contract for Public Bid No. 20-06-25 Turnout Gear, Repair, Care and Maintenance (not to exceed \$60,000.00)

17. **FROM THE CHIEF POLICE:**

- a. Resolution authoring the Drive Sober or Get Pulled Over 2020 Year End Holiday Statewide Crackdown Grant Application.
- b. Resolution awarding contract/purchase order for Renewal of Maintenance and Body Camera/Tasers (178,920.00)

18. **FROM THE TOWNSHIP CLERK:**

- a. An Ordinance that amends the general powers and duties of the position of mayor to make said office a full-time position.

19. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**

20. **UNFINISHED BUSINESS:**

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

**O.2084-2020                    AN ORDININACE REQUIRES, UNLESS WAIVED, A REQUIREMENT THAT NEW AND MODIFIED DEVELOPMENTS INCLUDE ELECTRIC VEHICLE CHARGING STATIONS**

**O.2085-2020**

**AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF BLOCK 922, LOT 1.A ON THE TAX MAPS OF THE TOWNSHIP (MORE COMMONLY KNOWN AS 248 MCKINLEY STREET IN THE TOWNSHIP), AN UNDERSIZED LAND NOT NEEDED FOR PUBLIC USE PURSUANT TO N.J.S.A. 40A:12-13.**

**21. 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

**22. ADJOURNMENT**

**RESOLUTION AWARDING EMERGENCY CONTRACT/PURCHASE ORDERS TO BINSKY & SNYDER, LLC FOR THE INSTALLATION OF UV LIGHTING IN TOWNSHIP MUNICIPAL BUILDINGS**

**WHEREAS**, there is a worldwide health emergency because of COVID19 whereas it is imperative that the Township takes all precautions to provide a clean and safe workspace for its employees and citizens; and

**WHEREAS**, the Township plans on purchasing UV lighting systems to kill or inactivate bacteria and viruses for all Township HVAC systems with air handlers; and

**WHEREAS**; the Township searched for a vendor for this purchase under NJ State public contracts and other co-ops but none were found; and

**WHEREAS**, time constraints in stopping the rampant spread of the virus and extreme risk to public health do not permit the lengthy bid process; and

**WHEREAS**; BINSKY & SNYDER, LLC, 281 Centennial Avenue, Piscataway, NJ 08854 a company with an extensive record of public work within the State of New Jersey has submitted a proposal to provide said work in the amount not to exceed \$269,500.00; 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**, the total amount of this emergency contract shall not exceed \$269,500.00; and

**WHEREAS**, funds in the amount of \$269,500.00 have been certified to be available in Account Number T-13-00-0000-000-017; 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/process Purchase Orders in the amount not to exceed \$269,500.00, and any other necessary documents, with BINSKY & SNYDER, LLC, 281 Centennial Avenue, Piscataway, NJ 08854 as stated herein.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$269,500.00** are available for the above in Account No. **T-13-00-0000-000-017**

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

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO EXCEL COMMUNICATIONS  
WORLDWIDE, INC. TO ADD PAN-TILT ZOOM CAMERAS IN THE COUNCIL CHAMBERS TO  
BETTER VIEW AND RECORD MEETINGS FOR SOCIAL DISTANCING DUE TO COVID 19**

**WHEREAS**, there is a need to add 4 pan-tilt zoom cameras in the council chambers for Edison TV to better view and record meetings and to limit the need for studio staff to be in the room so that social distancing can be observed due to COVID19; and

**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**, Hunterdon County 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 is a member of the HUNTERDON COUNTY COOPERATIVE PRICING SYSTEM #34HUNCCP; and

**WHEREAS**, EXCEL COMMUNICATIONS WORLDWIDE, INC., 325 Godshall Drive, Harleysville, PA 19438, has been awarded Bid No. HCESC-CAT-19-06 through State Coop #34HUNCCP, under Interactive Technology for Classrooms & Meeting Rooms Catalog Sales; and

**WHEREAS**, the total amount of this contract shall not exceed \$37,027.90; and

**WHEREAS**, funds in the amount of \$37,027.90 have been certified to be available in Account Number T-13-00-0000-000-017; 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 \$37,027.90 and any other necessary documents, with EXCEL COMMUNICATIONS WORLDWIDE, INC., 325 Godshall Drive, Harleysville, PA 19438, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law, Bid No. HCESC-CAT-19-06 through State Coop # 34HUNCCP, under Interactive Technology for Classrooms & Meeting Rooms Catalog Sales.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$37,027.90** are available in Account No. **T-13-00-0000-000-017**.

---

Nicholas C. Fargo  
Chief Financial Officer

---

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO JOHNSTON  
COMMUNICATIONS (JCT SOLUTIONS) TO UPGRADE CURRENT DVR SOFTWARE, ADD  
ADDITIONAL CAMERAS TO TAX COLLECTOR COUNTER, FIRE PREVENTION COUNTER AND  
OUTDOOR MONEY DROP BOX AS WELL AS INCREASE CAPACITY OF SYSTEM FOR FUTURE  
CAMERAS NEEDED FOR SOCIAL DISTANCING MEASURES**

**WHEREAS**, because of COVID19 and social distancing measures, there is a need to upgrade the current DVR software, add three cameras and upgrade the system for future needs; and

**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 County of Union 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 is a member of the UNION COUNTY COOPERATIVE PRICING SYSTEM #8UCCP; and

**WHEREAS**, JOHNSTON COMMUNICATIONS (JCT SOLUTIONS), P.O. Box 390, Kearny, NJ 07032, has been awarded Bid No. UCCP 42-2017 through State Coop #8UCCP, under Telephone/Associated Services Systems-Equipment, Installation, Maintenance Services; and

**WHEREAS**, the total amount of this contract shall not exceed \$30,092.45; and

**WHEREAS**, funds in the amount of \$30,092.45 have been certified to be available in Account Number T-13-00-0000-000-017; 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 \$30,092.45 and any other necessary documents, with JOHNSTON COMMUNICATIONS (JCT SOLUTIONS), P.O. Box 390, Kearny, NJ 07032, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law, Bid No. UCCP 42-2017 through State Coop #8UCCP, under Telephone/Associated Services Systems-Equipment, Installation, Maintenance Services.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$30,092.45** are available in Account No. **T-13-00-0000-000-017**.

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

\_\_\_\_\_  
Date

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO JOHNSTON  
COMMUNICATIONS (JCT SOLUTIONS) TO MAKE ALL INGRESS AND EGRESS OFFICE DOORS  
KEYLESS AND TOUCHLESS USING PROXIMITY CARDS, MOTION SENSORS AND FOOT GRIPS  
AND ADD REMOTE ACCESS TO THE FRONT PRIMARY ENTRY AND EXIT DOORS TO TOWN  
HALL**

**WHEREAS**, due to COVID 19, there is a need to make all ingress and egress office doors keyless and touchless and add remote access to the front primary entry and exit doors to Town Hall; and

**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 County of Union 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 is a member of the UNION COUNTY COOPERATIVE PRICING SYSTEM #8UCCP; and

**WHEREAS**, JOHNSTON COMMUNICATIONS (JCT SOLUTIONS), P.O. Box 390, Kearny, NJ 07032, has been awarded Bid No. UCCP 42-2017 through State Coop #8UCCP, under Telephone/Associated Services Systems-Equipment, Installation, Maintenance Services; and

**WHEREAS**, the total amount of this contract shall not exceed \$326,242.02; and

**WHEREAS**, funds in the amount of \$326,242.02 have been certified to be available in Account Number T-13-00-0000-000-017; 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 \$326,242.02 and any other necessary documents, with JOHNSTON COMMUNICATIONS (JCT SOLUTIONS), P.O. Box 390, Kearny, NJ 07032, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law, Bid No. UCCP 42-2017 through State Coop #8UCCP, under Telephone/Associated Services Systems-Equipment, Installation, Maintenance Services.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$326,242.02** are available in Account No. **T-13-00-0000-000-017**.

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

\_\_\_\_\_  
Date



**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO JOHNSTON  
COMMUNICATIONS (JCT SOLUTIONS) TO UPGRADE THE AVAYA PHONE SYSTEM AND ADD  
CALL ACCOUNTING AND TRACKING FOR REMOTE USER ACCESS DUE TO COVID 19**

**WHEREAS**, due to COVID19, there is a need to upgrade the Avaya phone system, add call accounting and tracking, SBC for remote user access to Avaya Core and additional AES licenses for expansion of call recording to allow for teleworkers to connect to the phone system from home and allow virtual extensions; and

**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 County of Union 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 is a member of the UNION COUNTY COOPERATIVE PRICING SYSTEM #8UCCP; and

**WHEREAS**, JOHNSTON COMMUNICATIONS (JCT SOLUTIONS), P.O. Box 390, Kearny, NJ 07032, has been awarded Bid No. UCCP 42-2017 through State Coop #8UCCP, under Telephone/Associated Services Systems-Equipment, Installation, Maintenance Services; and

**WHEREAS**, the total amount of this contract shall not exceed \$93,364.40; and

**WHEREAS**, funds in the amount of \$93,364.40 have been certified to be available in Account Number T-13-00-0000-000-017; 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 \$93,364.40 and any other necessary documents, with JOHNSTON COMMUNICATIONS (JCT SOLUTIONS), P.O. Box 390, Kearny, NJ 07032, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law, Bid No. UCCP 42-2017 through State Coop #8UCCP, under Telephone/Associated Services Systems-Equipment, Installation, Maintenance Services.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$93,364.40** are available in Account No. **T-13-00-0000-000-017**.

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

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW-GOVERNMENT FOR THE  
PURCHASE OF FIFTY HP PROBOOK LAPTOPS FOR THE TOWNSHIP OF EDISON**

**WHEREAS**, there is a need to purchase Fifty (50) HP Probook 650 laptops to provide to employees on a temporary basis who must telework as a result of COVID19; and

**WHEREAS**, CDW-GOVERNMENT, 230 North Milwaukee Ave., Vernon Hills, IL 60061, has been awarded State Contract Number 89974 under M-0483/Computer Equipment, Peripherals & Related Services for this purchase; and

**WHEREAS**, the Township intends to purchase these HP Probook 650 laptops in the total amount of \$61,000.00 (\$1,220.00 for each Probook and case); and

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

**WHEREAS**, funds in the amount of \$61,000.00 have been certified to be available in Account Number T-13-00-0000-000-017; 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 \$61,000.00 and any other necessary documents, with CDW-GOVERNMENT, 230 North Milwaukee Ave., Vernon Hills, IL 60061, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, number 89974/M-0483.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$61,000.00** are available for the above in Account No. **T-13-00-0000-000-017**.

\_\_\_\_\_  
Officer

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

**RESOLUTION R.**

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
EDISON FOR THE PERIOD ENDING OCTOBER 22, 2020

**WHEREAS**, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, October 22, 2020

<b>FUND</b>	<b>AMOUNT</b>
Current	\$15,046,738.87
Affordable Housing	0.00
Capital	1,388,809.39
Cash Performance	0.00
CDBG	1,643.36
Developers Escrow	26,147.08
Dog (Animal Control)	0.00
Federal Forfeited	0.00
Grant Funds	264.29
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	483,148.06
Sanitation Fund	130,356.06
Self Insurance	0.00
Sewer Utility	137,513.29
Tax Sale Redemption	173,135.27
Tree Fund	0.00
Tree Planting	1,305.00
Trust	399,826.11
Edison Water Utility	668,752.11
Edison Landfill Closure Trust	0.00
<b>TOTAL</b>	<b>\$18,457,638.89</b>

/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**

### **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 **\$6,579.89**.

## **RESOLUTION**

### **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 **\$9,334.90.**

**RESOLUTION REQUESTING APPROVAL OF  
THE BEST PRACTICES INVENTORY QUESTIONNAIRE  
FOR CALENDAR YEAR 2019**

**WHEREAS, Local Finance Notice LFN 2020-20** provides guidance with respect to how the Division of Local Government Services, State of New Jersey will implement the statutory requirement of the Best Practices Questionnaire CY 2020 and the inventory contained within the Best Practices Questionnaire is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

**WHEREAS,** the Governing Body of the Township of Edison, State of New Jersey acknowledges the Best Practices Inventory Questionnaire CY 2020 and has been apprised of the responses completed by the Chief Financial Officer and authorizes the Certification and prompt submission by the Municipal Clerk and the Chief Financial Officer; and

**NOW, THEREFORE, IT IS RESOLVED THAT THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY** hereby accepts the Best Practices Questionnaire CY 2020 with the responses completed by the Chief Financial and authorizes a copy to be sent to the Division of Local Government Services within the prescribed time frame dictated by the Division of Local Government Services and the Local Finance Notice LFN 2020-20.

DATED:

**TOWNSHIP OF EDISON**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AUTHORIZING FY 2020 APPLICATION TO THE UNIVERSITY OF BALTIMORE  
COMPETITIVE SUBAWARD SOLICITATION COMBATING OPIOID OVERDOSE THROUGH  
COMMUNITY-LEVEL INTERVENTION**

**WHEREAS**, the Township of Edison has received notice from the University of Baltimore regarding its 2020 Competitive Subaward Solicitation Combating Opioid Overdose through Community-Level Intervention, which provides funding for implementing or enhancing a community-based new or ongoing program that aims to reduce opioid-involved overdose; and

**WHEREAS**, said grant requires no matching contributions from the Township of Edison; and

**WHEREAS**, the Township of Edison, through the Edison Municipal Alliance/Edison Health Department wishes to submit an application for this grant.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Township of Edison that the Township of Edison, through the Edison Municipal Alliance/Edison Health Department is hereby authorized to submit a grant application to the University of Baltimore.

**BE IT FURTHER RESOLVED** that the Township Administrator, Mayor, and Township Clerk are hereby authorized to take all necessary actions to file this application and to accept grant funds from the University of Baltimore 2020 Competitive Subaward Solicitation Combating Opioid Overdose through Community-Level Intervention.

INTRODUCED BY COUNCILPERSON: \_\_\_\_\_

SECONDED BY COUNCILPERSON: \_\_\_\_\_

## FORM 1B

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

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

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

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

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

1. The Township of Edison Council does hereby authorize acceptance of funding for strategic plan for the Edison Municipal Alliance grant for fiscal year 21 (October 1, 2020 – June 30, 2021) in the amount of:

DEDR	\$26,979.00
Cash Match	\$6,744.75
In-Kind	\$20,234.25

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

APPROVED: \_\_\_\_\_  
*Thomas Lankey, Mayor*

## CERTIFICATION

I, Cheryl Russomanno, Municipal Clerk of the Township of Edison, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township of Edison Council on this 28 day of October, 2020.

\_\_\_\_\_  
*Cheryl Russomanno, Municipal Clerk*



## RESOLUTION \_\_\_\_\_

**EXPLANATION: A Resolution ratifying Executive Order 2-2020, issued by Mayor Thomas Lankey on October 21, 2020.**

**WHEREAS**, in light of the current state of emergency, and recognizing both the need to support local businesses and the needs of residents of Edison Township (the “**Township**”) and those who work in the Township to be able to purchase food from local restaurants, Mayor Thomas Lankey issued Executive Order 1-2020 (the “**Executive Order**”); and

**WHEREAS**, pursuant to the Executive Order, effective June 1, 2020 and extending to October 31, 2020 or the cancellation of the Executive Order, whichever is earlier, existing restaurants in the Township with onsite parking are allowed to eliminate up to twenty percent (20%) of their existing onsite parking as required by existing approvals or use any other available space on the premises so as to accommodate tables for consumption of food and beverages available from such restaurants, subject to certain guidelines; and

**WHEREAS**, the Executive Order provides that an application for approval of the aforementioned temporary use must be filed with the Township zoning office (the “**Application**”), and must be approved by Township’s zoning, police, fire and health offices within seven (7) days of filing; and

**WHEREAS**, in furtherance of the Executive Order, and in an effort to assist local businesses, the Township has agreed to waive any application and/or approval fees relating its review and approval; and

**WHEREAS**, consideration of the Application includes, but is not limited to, potential for impact on neighboring properties, traffic considerations, safety of workers, patrons and others in the vicinity of the restaurant, and the ability to maintain social distance consistent with existing Executive Orders, with hours of operation limited to 8:00 A.M. to 9:00 P.M., prevailing time; and

**WHEREAS**, each restaurant submitting an Application and thereafter approved must meet all conditions established by zoning, health, fire and police, including at a minimum: a “contactless” point for ordering and delivery of food and beverages; social distancing being maintained at all times including at points for ordering and delivery of food; personal protective equipment as required by existing law or Executive Orders; wherever possible, payment for such food and beverages shall be made through electronic means; if patrons are given access to onsite restrooms, strict social distancing requirements must be established and maintained regarding such access; sanitizing materials, including hand sanitizer and sanitizing wipes, must be made available to staff and patrons; conspicuous signage must be placed at entrances and throughout the premises alerting staff and customers to the required minimum six feet of physical distance; and

**WHEREAS**, on October 21, 2020, Mayor Thomas Lankey issued Executive Order 2-2020, extending the provisions of the Executive Order through December 31, 2020; and

**WHEREAS**, the Municipal Council of the Township (the “**Municipal Council**”) hereby ratifies the issuance of Executive Order No. 2-2020 and approves the policies and procedures set forth therein.

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

1. The Municipal Council hereby ratifies Executive Order 2-2020, issued by Mayor Thomas Lankey on October 21, 2020.
2. To further assist local businesses, the Township will waive any application and/or approval fees relating its review and approval of any Application submitted hereunder.
3. This Resolution shall take effect immediately.

## RESOLUTION \_\_\_\_\_

**EXPLANATION: A resolution temporarily amending the fee schedule at Township Code 24-4.1, regarding certain before/after school child care programs given the COVID-19 pandemic.**

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

**WHEREAS**, the Township’s Code of General Ordinances (“**Code**”) at Section 24.4.1 provides for the establishment of fees for certain before/after school child care programs, by resolution; and

**WHEREAS**, by Resolution R.694-122019 adopted on December 11, 2019, the Township had last set such fees, all prior to the onset of the COVID-19 pandemic in March of 2020; and

**WHEREAS**, due to the COVID-19 pandemic, the Township’s ABC/YAP program, which started again on October 19, 2020, will be held on a modified schedule as a result of Township schools operating on some type of hybrid schedule on school days; and

**WHEREAS**, in consequence, and in light of the ongoing pandemic, the monthly fees therefor will need to be temporarily increased or decreased, as applicable, per session of day and per number of children, pursuant to the following fee schedule:

Morning (AM) - 4 Days	First Child:	\$120	Second Child:	\$60	Monthly (10)
Afternoon (PM) - 4 Days	First Child:	\$300	Second Child:	\$150	Monthly (10)
Both Sessions	First Child:	\$420	Second Child:	\$210	Monthly (10)
Morning (AM) - 2 Days	First Child:	\$60	Second Child:	\$30	Monthly (10)
Afternoon (PM) - 2 Days	First Child:	\$160	Second Child:	\$80	Monthly (10)
Both Sessions	First Child:	\$220	Second Child:	\$110	Monthly (10)

; and

**WHEREAS**, these temporary fees will govern until the Township schools return to a normal school day, at which time the temporary fees shall sunset, and the fees set forth in Resolution R.694-122019 would again automatically apply; and

**WHEREAS**, the municipal council of the Township (“**Municipal Council**”) has determined to amend Subchapter 24-4.1 of the Code, to set the following fees on a temporary basis consistent with the foregoing, subject to sunset as aforesaid:

### **24-4 PARK AND RECREATION FEES**

#### **24-4.1 Fee Schedule**

The fees for the usage of Township parks, recreation areas and facilities and programs offered therein or by the Township shall be set by resolution.

## Fee Schedule

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

### PROGRAMS

### FEE

### PAYMENT DUE

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

#### A.B.C. – Elementary School

Morning (AM) - 4 Days	First Child:	\$120	Second Child:	\$60	Monthly (10)
Afternoon (PM) - 4 Days	First Child:	\$300	Second Child:	\$150	Monthly (10)
Both Sessions	First Child:	\$420	Second Child:	\$210	Monthly (10)
Morning (AM) - 2 Days	First Child:	\$60	Second Child:	\$30	Monthly (10)
Afternoon (PM) - 2 Days	First Child:	\$160	Second Child:	\$80	Monthly (10)
Both Sessions	First Child:	\$220	Second Child:	\$110	Monthly (10)

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

#### Y.A.P. – Middle School

Morning (AM) - 4 Days	First Child:	\$120	Second Child:	\$60	Monthly (10)
Afternoon (PM) - 4 Days	First Child:	\$300	Second Child:	\$150	Monthly (10)
Both Sessions	First Child:	\$420	Second Child:	\$210	Monthly (10)
Morning (AM) - 2 Days	First Child:	\$60	Second Child:	\$30	Monthly (10)
Afternoon (PM) - 2 Days	First Child:	\$160	Second Child:	\$80	Monthly (10)
Both Sessions	First Child:	\$220	Second Child:	\$110	Monthly (10)

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Edison, in the County of Middlesex, and State of New Jersey, that the following before/after school fees are hereby temporarily established given the COVID-19 pandemic and the commensurate reduction in school hours, and shall remain in force and effect until the Township schools return to a normal school day, at which time the temporary fees shall sunset, and the fees set forth in Resolution R.694-122019 will again automatically apply:

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

2. Consistent with the foregoing, the temporary fees are set thus (subject to sunset as aforesaid):

#### **24-4 PARK AND RECREATION FEES**

##### **24-4.1 Fee Schedule**

The fees for the usage of Township parks, recreation areas and facilities and programs offered therein or by the Township shall be set by resolution.

##### **Fee Schedule**

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

PROGRAMS	FEE	PAYMENT DUE
----------	-----	-------------

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

##### **A.B.C. – Elementary School**

Morning (AM) - 4 Days	First Child:	\$120	Second Child:	\$60	Monthly (10)
-----------------------	--------------	-------	---------------	------	--------------

Afternoon (PM) - 4 Days	First Child:	\$300	Second Child:	\$150	Monthly (10)
-------------------------	--------------	-------	---------------	-------	--------------

Both Sessions	First Child:	\$420	Second Child:	\$210	Monthly (10)
---------------	--------------	-------	---------------	-------	--------------

Morning (AM) - 2 Days	First Child:	\$60	Second Child:	\$30	Monthly (10)
-----------------------	--------------	------	---------------	------	--------------

Afternoon (PM) - 2 Days	First Child:	\$160	Second Child:	\$80	Monthly (10)
-------------------------	--------------	-------	---------------	------	--------------

Both Sessions	First Child:	\$220	Second Child:	\$110	Monthly (10)
---------------	--------------	-------	---------------	-------	--------------

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

##### **Y.A.P. – Middle School**

Morning (AM) - 4 Days	First Child:	\$120	Second Child:	\$60	Monthly (10)
Afternoon (PM) - 4 Days	First Child:	\$300	Second Child:	\$150	Monthly (10)
Both Sessions	First Child:	\$420	Second Child:	\$210	Monthly (10)

Morning (AM) - 2 Days	First Child:	\$60	Second Child:	\$30	Monthly (10)
Afternoon (PM) - 2 Days	First Child:	\$160	Second Child:	\$80	Monthly (10)
Both Sessions	First Child:	\$220	Second Child:	\$110	Monthly (10)

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

3. The Township Clerk shall forward this Resolution to the Supervisor of Recreation.

4. All other recreation fees are hereby as established, and shall remain in force and effect until superseded by a subsequent resolution.

5. This Resolution shall take effect immediately.

## **RESOLUTION**

### **Woodside Estates, Suburban Development, LLC Block 556, Lots 31.02 Performance Bond Reduction**

**WHEREAS**, Suburban Development, LLC posted a Performance Bond# RU101226 posted on November 19, 2018 of First Indemnity of America Insurance Company, in the amount of \$397,849.59 posted by Suburban Development, LLC, having offices at 228A Pierson Avenue, Edison, NJ 08837, to guarantee the installation of improvements for the project known as Woodside Estates, Block 556, Lots 31.02 and designated P5202

**WHEREAS**, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that, based upon the improvements completed to date, a bond reduction is in order; and

**WHEREAS**, it is the recommendation of the Township Engineer that the Performance Bond be reduced by **70%** from **\$397,849.59** to **\$278,494.71**; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, THAT THE Performance Bond hereinabove mentioned be reduced to **\$278,494.71**, **by virtue of a substitute bond** or endorsement to the Performance Bond presently in place, until such time as Final Acceptance is granted.

**EXPLANATION: With this resolution, the Township Council approves the receipt of the FY2020 Community Development Block Grant in the final amount of \$594,016 and approves the projects and activities funded by this grant.**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON APPROVING THE FISCAL YEAR 2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE FILING OF THE FISCAL YEAR 2020-2024 FIVE-YEAR CONSOLIDATED PLAN AND FY2020 ANNUAL ACTION PLAN**

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

**WHEREAS**, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide a Fiscal Year 2020 Community Development Block Grant in the amount of \$594,016;

**WHEREAS**, the Township can budget a total of \$594,016 in FY20 funds and \$222,228 in FY19 funds to fund eligible 2020 activities that are attached and listed on the Proposed Summary of FY20 Annual Action Plan Allocations, that will be carried out during the 2020 Program Year;

**WHEREAS**, two Public Hearings were held on September 11, 2020 and on October 27, 2020 to provide citizen participation in the development of the Five-Year Consolidated Plan, Annual Action Plan for Fiscal Year 2020, and update to the Analysis of Impediments to Fair Housing Choice;

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

**Section 1.** The application for the FY2020-2024 Five-Year Consolidated Plan, FY2020 Annual Action Plan and update to the Analysis of Impediments to Fair Choice for the Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

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

**Section 3.** The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an application for a total of \$816,244, which the U.S. Department of Housing and Urban Development has indicated its willingness to make available to carry out the Community Development Program's activities that are attached as the Proposed Summary of FY20 Annual Action Plan Allocations and listed in the 2020 Fiscal Year Consolidated Annual Action Plan, and act as an authorized representative of the Township of Edison.

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

**Section 5.** The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to enter into Agreements with the Sub-Grantees (Subrecipient) listed on the attached Proposed Summary of FY20 Annual Action Plan Allocations so that they may carry out those activities outlined in the FY2020 Annual Action Plan and FY2020-2024 Five-Year Consolidated Annual Plan.

**Section 6.** The CDBG Coordinator shall forward to each Sub-Grantee (Subrecipient) a copy of all applicable United States Housing and Urban Development Regulations concerning conflicts of interest.

**EXPLANATION: With this resolution, the Township Council approves the receipt of the CARES Act Community Development Block Grant CV1 funds in the final amount of \$349,440 and Community Development Block Grant CV3 funds in the final amount of \$884,324; and approves the projects and activities funded by this grant.**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON APPROVING THE CARES ACT COMMUNITY DEVELOPMENT BLOCK GRANT CV1 AND CV3 PROGRAM.**

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

**WHEREAS**, the U.S. Department of Housing and Urban Development has advised the Township of its willingness to provide CDBG-CV1 and CDBG-CV3 funds to prevent, prepare for and respond to Coronavirus in the amounts of \$349,440 (CV1) and \$884,324 (CV3);

**WHEREAS**, the Township can budget a total of \$349,440 in CV1 funds and \$884,324 in CV3 funds to fund eligible activities that are attached and listed on the Proposed Summary of CARES Act Allocations, that will be carried out during the 2020 Program Year;

**WHEREAS**, two Public Hearings were held on September 11, 2020 and on October 27, 2020 to provide citizen participation in the development of the FY2020-2024 Five-Year Consolidated Plan, FY 2020 Annual Action Plan and use of CARES Act Funds for Fiscal Year 2020;

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

**Section 1.** The application for the CARES Act CV1 and CV3 Funding for Fiscal Year 2020 Community Development Block Grant Program for the Township of Edison is hereby in all respects approved.

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

**Section 3.** The Mayor of the Township of Edison, on behalf of the Township Council, is authorized to file an application for a total of \$1,223,764, which the U.S. Department of Housing and Urban Development has indicated its willingness to make available to carry out the Community Development Program's activities that are attached as the Proposed Summary of CARES Act CV1 and CV3 Allocations and listed in the FY2020 Annual Action Plan, and act as an authorized representative of the Township of Edison.

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

**Section 5.** The Mayor of the Township of Edison, on behalf of the Township Council, is hereby authorized to enter into Agreements with future Sub-Grantees (Subrecipient) so that they may carry out those Coronavirus-related activities outlined in the FY2020 Annual Action Plan.

**Section 6.** The CDBG Coordinator shall forward to any Sub-Grantee (Subrecipient) a copy of all applicable United States Housing and Urban Development Regulations concerning conflicts of interest.



## **RESOLUTION**

**Explanation: A Resolution rescinding a subsidy grant of \$85,000.00 from the Township's Affordable Housing Market To Affordable Program for the purchase of a home from market rate to affordable.**

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

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

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

**WHEREAS**, said Unit is located at 4103 Hana Road, Edison, New Jersey, Block 19, Lot 93.C; and

**WHEREAS**, the Seller entered into a Sales Contract with a household that was income certified as eligible to purchase such a Unit, as approved by the Township's Administrative Agent and qualified for a subsidy grant of \$85,000.00 to be paid from the Township's Affordable Housing Trust Fund in order to reduce the price for the Buyers to qualify the Unit as "Affordable"; and

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

**WHEREAS**, under Resolution R.422-082020, the Township Council approved and authorized a subsidy grant in the amount of \$85,000.00 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Township's Market to Affordable Program, to Golden Title Agency, LLC, 1818 Old Cuthbert Road, Suite 105, Cherry Hill, New Jersey 08034, for the purposes set forth herein and authorized the execution of a Deed Restriction between the Township and the Buyers, Yahia Hamzi and Karima Mekhtoub; and

**WHEREAS**, issues arose with respect to the sale of the Unit, and the sale of the Unit was terminated; and

**WHEREAS**, as a result of the termination with respect to the sale of the Unit, the Township Council desires to rescind the subsidy grant in the amount of \$85,000.00, approved and authorized under Resolution R.422-082020, and return the funds to the Township's Affordable Housing Trust Fund.

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

1. The Township Council hereby rescinds the subsidy grant in the amount of \$85,000.00 approved and authorized under Resolution R.422-082020 with respect to the Township's Market to Affordable Program, to Golden Title Agency, LLC, 1818 Old Cuthbert Road, Suite 105, Cherry Hill, New Jersey 08034, and the subsidy grant funds in the amount of \$85,000.00 will be returned to the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

## **RESOLUTION**

**Explanation: A Resolution rescinding a grant of \$15,000.00 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the purchase of an affordable housing unit by an income certified buyer.**

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

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

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

**WHEREAS**, said Unit is located at 4103 Hana Road, Edison, New Jersey, Block 19, Lot 93.C; and

**WHEREAS**, the Buyers had entered into a Sales Contract to purchase an affordable housing unit, as approved by the Township's Administrative Agent, and the Buyers qualified for a \$15,000.00 grant to be paid from the Township's Affordable Housing Trust Fund in order to provide affordability assistance by reducing the costs for the Buyers; and

**WHEREAS**, the title company, known as Golden Title Agency, LLC, was to distribute such funds on behalf of the Buyer and the time of the Closing to subsidize the down payment or closing costs; and

**WHEREAS**, under Resolution R.426-082020, the Township Council approved and authorized a grant in the amount of \$15,000.00 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Down Payment/Closing Cost Affordability Assistance Program, to Golden Title Agency, LLC, 1818 Old Cuthbert Road, Suite 105, Cherry Hill, New Jersey 08034, for the purposes set forth herein and authorized the execution of an Agreement between the Township and the Buyers, Yahia Hamzi and Karima Mekhtoub, with respect to such grant; and

**WHEREAS**, issues arose with respect to the sale of the Unit, and the sale of the Unit was terminated; and

**WHEREAS**, as a result of the termination of the sale of the Unit, the Township Council desires to rescind the grant in the amount of \$15,000.00 approved and authorized under Resolution R.426-082020 and to return the funds to the Township's Affordable Housing Trust Fund.

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

1. The Township Council hereby rescinds the subsidy grant in the amount of \$15,000.00 approved and authorized under Resolution R.426-082020 with respect to the Down Payment/Closing Cost Affordability Assistance Program, to Golden Title Agency, LLC, 1818 Old Cuthbert Road, Suite 105, Cherry Hill, New Jersey 08034, and the grant funds in the amount of \$15,000.00 will be returned to the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

## RESOLUTION \_\_\_\_\_

**Explanation: A Resolution rescinding a grant of \$15,000.00 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the purchase of an affordable housing unit by an income certified buyer.**

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

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

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

**WHEREAS**, said Unit is located at 13 Liddle Avenue, Edison, New Jersey, Block 757, Lot 41; and

**WHEREAS**, the Buyer had entered into a Sales Contract to purchase an affordable housing unit, as approved by the Township's Administrative Agent, and the Buyer qualified for a \$15,000.00 grant to be paid from the Township's Affordable Housing Trust Fund in order to provide affordability assistance by reducing the costs for the Buyer; and

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

**WHEREAS**, under Resolution R.372-072020, the Township Council approved and authorized a grant in the amount of \$15,000.00 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Down Payment/Closing Cost Affordability Assistance Program, to Direct Title, 400 West Main Street, Freehold, New Jersey 07728, for the purposes set forth herein and authorized the execution of an Agreement between the Township and the Buyer, Shu-Lan Hwang, with respect to such grant; and

**WHEREAS**, issues arose with respect to the sale of the Unit, and the sale of the Unit was terminated; and

**WHEREAS**, as a result of the termination of the sale of the Unit, the Township Council desires to rescind the grant in the amount of \$15,000.00 approved and authorized under Resolution R.372-072020 and to return the funds to the Township's Affordable Housing Trust Fund.

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

1. The Township Council hereby rescinds the subsidy grant in the amount of \$15,000.00 approved and authorized under Resolution R.372-072020 with respect to the Down Payment/Closing Cost Affordability Assistance Program, to Direct Title, 400 West Main Street, Freehold, New Jersey 07728, and the grant funds in the amount of \$15,000.00 will be returned to the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

## **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 STO0000486, to the following:

**Permit Number: DEV-20-0248**

**Opening Location: 31 HILLSDALE RD**

**Block: 556.B**

**Applicant's Name & Address:**

**ROUX ASSOCIATES, INC.  
402 HERON DR  
LOGAN TOWNSHIP, NJ 08085**

**Initial Deposit Date: 08/18/2020**

**Deposit Amount: \$200.00**

**Paid by & refunded to:**

**ROUX ENVIROMENTAL ENGINEERING  
& GEOLOGY, D.P.C.  
209 SHAFTER STREET  
ISLANDIA, NEW YORK 11749-5074**

**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 AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE THE CHASSIS FOR TWO (2) NEW AND UNUSED 2020 OR NEWER AUTOCAR AUTOMATED SIDE LOADER SANITATION TRUCKS WITH OPTIONS FROM HUDSON COUNTY MOTORS INC. THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE SANITATION DIVISION OF 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, Sanitation Division of the Department of Public Works, is in need of two (2) new and unused 2020 Autocar Automated Side Loader Sanitation Trucks with options and will purchase it under this contract from Hudson County Motors, Inc. (chassis) and Sanitation Equipment Corp. (body); 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 Autocar Automated Side Loader Sanitation Trucks with options under this contract; and

**WHEREAS**, the total amount of this contract shall not to exceed \$352,194.00 (\$176,097.00 per vehicle); and

**WHEREAS**, funds in the amount of \$352,194.00 have been certified to be available in the Sanitation Capital Outlay Account, Number 0-09-55-0880-000-600; 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 \$352,194.00, 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 **\$352,194.00** are available for the above in Account No. **0-09-55-0880-000-600**.

---

Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE THE BODY FOR TWO (2) NEW AND UNUSED 2020 OR NEWER AUTOCAR AUTOMATED SIDE LOADER SANITATION TRUCKS WITH OPTIONS FROM SANITATION EQUIPMENT CORP. THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE SANITATION DIVISION OF 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, Sanitation Division of the Department of Public Works, is in need of two (2) new and unused 2020 Autocar Automated Side Loader Sanitation Trucks with options and will purchase it under this contract from Hudson County Motors, Inc. (chassis) and Sanitation Equipment Corp. (body); and

**WHEREAS**, SANITATION EQUIPMENT CORP., 80 Furler Street, Totowa, NJ 07512 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 SANITATION EQUIPMENT CORP. for the purchase of the body for two (2) new and unused 2020 Autocar Automated Side Loader Sanitation Trucks with options under this contract; and

**WHEREAS**, the total amount of this contract shall not to exceed \$308,800.00 (\$154,400.00 per vehicle); and

**WHEREAS**, funds in the amount of \$308,800.00 have been certified to be available in the Sanitation Capital Outlay Account, Number 0-09-55-0880-000-600; 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 \$308,800.00, and any other necessary documents, with SANITATION EQUIPMENT CORP., 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 **\$308,800.00** are available for the above in Account No. **0-09-55-0880-000-600**.

---

Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION ACCEPTING QUOTE AND AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO HIONIS GREENHOUSES FOR FLOWERS/PLANTS FOR AMBOY AVENUE AND VARIOUS TOWNSHIP PROPERTIES**

**WHEREAS**, quotes were solicited by the Township of Edison for the purchase of flowers/plants for Amboy Avenue and various Township properties; and

**WHEREAS**, HIONIS GREENHOUSES, 4 Coddington Road, Whitehouse Station, NJ 08889, submitted the lowest, responsive, responsible quote in the amount of \$8,750.00; and

**WHEREAS**, additional flowers/plants are needed for this project in the amount not to exceed \$8,000.00 (for a total project amount of \$16,750.00); and

**WHEREAS**, for the prior twelve months, the Township expended \$15,440.00 (which includes the original \$8,750.00) with HIONIS GREENHOUSES and this resolution in the amount of \$8,000.00 will make a combined total amount of \$23,440.00 in a twelve month period; and

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

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

**WHEREAS**, prior to entering into a contract, HIONIS GREENHOUSES, 4 Coddington Road, Whitehouse Station, NJ 08889, 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 HIONIS GREENHOUSES 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. Authorization is hereby given to HIONIS GREENHOUSES, 4 Coddington Road, Whitehouse Station, NJ 08889, in the amount not to exceed \$8,000.00 for the purchase of flowers/plants for Amboy Avenue and various Township properties as described herein.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.5 et. seq, and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of **\$8,000.00** are available for the above contract in Account No. **0-01-35-0470-000-020**

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

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE ART SUPPLIES AND  
HANDICRAFTS FROM SCHOOL SPECIALTY THROUGH THE EDUCATIONAL SERVICES  
COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE  
DEPARTMENT OF RECREATION**

**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 is a member of the ESCNJ COOPERATIVE PRICING SYSTEM #65MCESCCPS; and

**WHEREAS**, SCHOOL SPECIALTY, 100 Paragon Parkway, Mansfield, OH 44903, has been awarded ESCNJ 18/19-78 Classroom Supplies under NJ State approved coop #65MCESCCPS; and

**WHEREAS**, the total amount of this contract/Purchase Order(s) in the amount not to exceed \$5,000.00 cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount of \$5,000.00 with SCHOOL SPECIALTY, 100 Paragon Parkway, Mansfield, OH 44903, the approved Educational Services Commission of New Jersey Cooperative Pricing System 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.



**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO LAKESHORE LEARNING MATERIALS FOR THE FURNISHING OF ART SUPPLIES AND HANDICRAFTS**

**WHEREAS**, bids were received by the Township of Edison on September 25, 2020 for Public Bid No. 20-03-05-Art Supplies and Handicrafts; and

**WHEREAS**, LAKESHORE LEARNING MATERIALS, 2695 E. Dominguez St., Carson, CA 90895, submitted the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet; and

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

**WHEREAS**, the amount of the first year and any succeeding renewal year shall not exceed \$3,000.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by LAKESHORE LEARNING MATERIALS, 2695 E. Dominguez St., Carson, CA 90895, for Art Supplies and Handicrafts is determined to be the lowest legally responsible bid for a percentage off their catalog prices as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$3,000.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with LAKESHORE LEARNING MATERIALS as described herein.

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO S&S WORLDWIDE FOR THE  
ART SUPPLIES AND HANDICRAFTS FOR THE DEPARTMENT OF RECREATION**

**WHEREAS**, there is a need to purchase Art Supplies and Handicrafts for the Department of Recreation;  
and

**WHEREAS**, S&S Worldwide, 75 Mill Street, Colchester, CT 06415, has been awarded State Contract Number 17-FOOD-00253 under T-0114-Library & School Supplies; and

**WHEREAS**, the total amount of this contract, not to exceed \$50,000.00, cannot be encumbered at this time; and

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

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$50,000.00 and any other necessary documents, with S&S Worldwide, 75 Mill Street, Colchester, CT 06415 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 17-FOOD-00253 under T-0114.

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE THE CHASSIS FOR TWO (2) NEW AND UNUSED 2021 OR NEWER FORD F550 SUPERCAB UTILITY TRUCKS WITH PLOWS AND OPTIONS FROM CHAS S. WINNER INC. dba WINNER FORD THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE DIVISION OF SEWERS**

**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, Division of Sewers, is in need of two (2) new and unused 2021 Ford F550 Supercab Utility Trucks with plows and options and will purchase it under this contract from Chas S. Winner Inc. dba Winner Ford (chassis) and Cliffside Body Corp. (body and accessories); and

**WHEREAS**, CHAS S. WINNER INC. dba WINNER FORD, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034 has been awarded Contract # ESCNJ 18/19-42 – Class 4 & 5 Trucks under NJ state approved coop #65MCESCCPS; and

**WHEREAS**, the Township of Edison intends to enter into a contract/purchase order with CHAS S. WINNER INC. dba WINNER FORD for the purchase of the chassis for two (2) new and unused 2021 Ford F550 Supercab Utility Trucks with plows and options under this contract; and

**WHEREAS**, the total amount of this contract shall not to exceed \$102,478.16 (\$51,239.08 per vehicle); and

**WHEREAS**, funds in the amount of \$102,478.16 have been certified to be available in the Sewer Capital Improvement Projects Account, Number 0-07-55-0501-000-117; 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 \$102,478.16, and any other necessary documents, with CHAS S. WINNER INC. dba WINNER FORD, 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 **\$102,478.16** are available for the above in Account No. **0-07-55-0501-000-117**.

---

Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE THE BODY FOR TWO (2) NEW AND UNUSED 2021 OR NEWER FORD F550 SUPERCAB UTILITY TRUCKS WITH PLOWS AND OPTIONS FROM CLIFFSIDE BODY CORP. THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE DIVISION OF SEWERS**

**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, Division of Sewers, is in need of two (2) new and unused 2021 Ford F550 Supercab Utility Trucks with plows and options and will purchase it under this contract from Chas S. Winner Inc. dba Winner Ford (chassis) and Cliffside Body Corp. (body and accessories); and

**WHEREAS**, CLIFFSIDE BODY CORP., 130 Broad Avenue, Fairview, NJ 07022 has been awarded Contract # ESCNJ 18/19-42 – Class 4 & 5 Trucks under NJ state approved coop #65MCESCCPS; and

**WHEREAS**, the Township of Edison intends to enter into a contract/purchase order with CLIFFSIDE BODY CORP. for the purchase of the body and accessories for two (2) new and unused 2021 Ford F550 Supercab Utility Trucks with plows and options under this contract; and

**WHEREAS**, the total amount of this contract shall not to exceed \$117,230.00 (\$58,615.00 per vehicle); and

**WHEREAS**, funds in the amount of \$117,230.00 have been certified to be available in the Sewer Capital Improvement Projects Account, Number 0-07-55-0501-000-117; 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 \$117,230.00, and any other necessary documents, with CLIFFSIDE BODY CORP., 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 **\$117,230.00** are available for the above in Account No. **0-07-55-0501-000-117**.

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

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE ONE (1) 2021 CHEVROLET TAHOE FROM MALL CHEVROLET THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE DIVISION OF FIRE**

**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**, MALL CHEVROLET, 75 Haddonfield Road, Cherry Hill, NJ 08002 has been awarded ESCNJ 20/21-09 Cars, Crossovers, Pickup Trucks, SUV’s and Vans under NJ State approved coop #65MCESCCPS; and

**WHEREAS**, the Township of Edison, Division of Fire, intends to enter into a contract/purchase order with MALL CHEVROLET, for the purchase of one (1) 2021 Chevrolet Tahoe at a total price of \$38,345.26; and

**WHEREAS**, the total amount of this contract shall not to exceed \$38,345.26; and

**WHEREAS**, funds in the amount of \$38,345.26 have been certified to be available in the Fire Fighting Purchase of Vehicles Account, Number 0-01-25-0265-001-051; 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 \$38,345.26, and any other necessary documents, with MALL CHEVROLET, 75 Haddonfield Road, Cherry Hill, NJ 08002, 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 **\$38,345.26** are available for the above in Account No. **0-01-25-0265-001-051**.

---

Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO BROADWAY MINERVA  
CLEANERS D/B/A MINERVA BUNKER GEAR CLEANERS FOR TURNOUT GEAR REPAIR, CARE  
AND MAINTENANCE**

**WHEREAS**, bids were received by the Township of Edison on October 7, 2020 for Public Bid No. 20-06-25-Turnout Gear Repair, Care and Maintenance for the Division of Fire; and

**WHEREAS**, BROADWAY MINERVA CLEANERS D/B/A MINERVA BUNKER GEAR CLEANERS, 780 East 134<sup>th</sup> St., New York, NY 10454, submitted the sole, legally responsible, responsive bid; 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 total amount of the first year and any succeeding renewal year shall not exceed \$60,000.00, 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 sole bid has been reviewed, and the bid submitted by BROADWAY MINERVA CLEANERS D/B/A MINERVA BUNKER GEAR CLEANERS, 780 East 134<sup>th</sup> St., New York, NY 10454, for Turnout Gear Repair, Care and Maintenance for the Township of Edison 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 \$60,000.00 for the first year and any succeeding renewal year and any other necessary documents, with BROADWAY MINERVA CLEANERS D/B/A MINERVA BUNKER GEAR CLEANER.

**Resolution**

***DRIVE SOBER OR GET PULLED OVER 2020 Year End Holiday Statewide Crackdown  
Grant Application***

**WHEREAS**, the Division of Police will apply for grant funding in the amount of \$7,200.00 to provide additional manpower hours to enforce DWI Laws; and

**WHEREAS**, in Edison Township, there has been an average of 36 impaired driver crashes per year between 2014-2018; and

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

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

**WHEREAS**; the project will involve increased enforcement from December 4, 2020 through January 1, 2021; and

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

**THEREFORE**, be it resolved that the Edison Township Council on behalf of the Division of Police wishes to apply for the grant, Drive Sober or Get Pulled Over 2020 Year End Holiday Statewide Crackdown between December 4, 2020 – January 1, 2021 and pledges to increase awareness of DWI Laws.

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

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO AXON ENTERPRISES, INC. FOR RENEWAL OF MAINTENANCE FOR BODY CAMERA/TASERS FOR THE DIVISION OF POLICE**

**WHEREAS**, the Township of Edison needs to renew the maintenance and storage plan for the body cameras and tasers for the period of January – December 2021; and

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

**WHEREAS**, AXON ENTERPRISE, INC., 17800 N 85<sup>TH</sup> Street, Scottsdale, AZ, has submitted a proposal to provide these services for the year 2021 at a cost of \$178,920.00 subject to and contingent upon appropriation of sufficient funds in the 2021 temporary and/or permanent budget; and

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

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

**WHEREAS**, AXON ENTERPRISES, INC., 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 AXON ENTERPRISES, INC. from making any reportable contributions through the term of the contract; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order and any other necessary documents, in the amount of \$178,920.00, with AXON ENTERPRISE, INC., 17800 N 85<sup>TH</sup> Street, Scottsdale, AZ subject to and contingent upon appropriation of sufficient funds in the 2021 temporary and/or permanent budget as set forth above.
2. This contract is awarded without competitive bidding pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-5 (dd) and N.J.S.A. 19:44A-20.5 et. seq, INC. as described herein
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.



## **ORDINANCE O.2 -2020**

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

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

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

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

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

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

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

#### **2.1-1**

The Mayor, as the **[full-time]** chief executive officer of the Township, shall have the power and duty to supervise the administration of the Charter and ordinances of the Township and the general laws applicable thereto. He or she shall have such powers of appointment and removal as are provided by Charter or general law. He or she shall have the power to appoint, with the advice and consent of the Council, to all offices where no other provision is made for such appointment; it being the intent and purpose of this provision, in order to control spending, that the Mayor shall obtain the advice of the Council and consent to appoint, hire or retain any supervisory or managerial employee whose salary, wages, and other compensation equals or exceeds fifty thousand (\$50,000.00) dollars. He or she shall assign or approve the assignment of space in public buildings and other public places for the temporary or permanent use of any department, agency, body, officer or instrumentality and shall, through the Business Administrator, control the assignment, allocation and use of furniture, equipment or other public property in the Township government. He or she may assign and reassign, transfer and retransfer, from time to time, either temporarily or permanently, any property or personnel from one function to another or from one administrative unit to another as the management of the Township government may require, subject to the express requirements of the Charter and all other applicable general laws. This section shall not, however, apply to the Council or Township Clerk.

## **2-1.6**

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

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

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

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

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

## **ORDINANCE O.2084-2020**

### **EXPLANATION: AN ORDINANCE REQUIRES, UNLESS WAIVED, A REQUIREMENT THAT NEW AND MODIFIED DEVELOPMENTS INCLUDE ELECTRIC VEHICLE CHARGING STATIONS**

**WHEREAS, electric vehicles contribute to Edison Township's commitment to sustainability and are in the interest of public welfare;**

**WHEREAS, proliferation of electric charging stations encourage electric vehicle adoption;**

**WHEREAS, the Township encourages greater ownership and use of electric vehicles, the Township is amending Chapter 14 (Building and Construction) of its code;**

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

#### **Section Electric Vehicle Charging Stations In New And Modified Developments Required.**

##### **A. DEFINITIONS**

1. Electric vehicle: A vehicle that includes (a) a battery electric vehicle; and (2) a plug-in hybrid electric vehicle
2. Electric vehicle charging station: a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

B. Electric vehicle charging equipment (EVCE) and electric vehicle charging stations (EVCS) shall be considered permitted accessory uses in all zoning districts. Electric vehicle charging equipment and electric vehicle charging stations shall be permitted accessory uses in all zoning districts of the Township of Edison, subject to the limitation that an electric vehicle charging station located on the property of a one- to four-family home shall not be made available for use of the general public.

C. EVCE shall be permitted in a front yard area, subject to meeting all other setback requirements.

D. Each EVCS space shall count as two required parking spaces for purposes of zoning compliance.

E. Each EVCS shall provide unobstructed access to the EVCE and shall contain signage indicating that vehicles parked in the EVCS space shall be connected to the EVCE.

F. One of the first two EVCS shall be an accessible space designed to meet the requirements for accessible parking spaces, but shall not be restricted to handicapped drivers.

G. The following requirements to provide electric vehicle charging stations shall apply to all new site plans and all site plans coming before either the Planning Board or the Board of Adjustment for substantial modifications to a previously approved preliminary or final site plan approval. A revised site plan shall be considered a substantial modification if there is any significant alteration in the layout of the buildings, public or private roadways, parking aisles or parking lots from that which was previously approved by the applicable Board.

1. All developments of three or more single-family units and condominium units that are **assigned a specific garage for the parking of their motor vehicle shall provide a 240-volt electric outlet in the garage in order to accommodate Level 2 electric vehicle charging equipment.**

2. The use groups specified below shall provide either Level 2 EVCE with a minimum output rate of 7.2 kilowatts per hour or DC fast charging stations in the common parking areas in an amount equal to 3% of the required number of parking spaces, subject to a minimum of two EVCS per location. In addition, appropriately sized electrical conduit shall be installed to additional spaces in order to allow for future expansion of the number of EVCS to 7% of the required number of parking spaces. These additional EVCS shall be installed within six months of notification by the Township that the number of plug-in electric vehicles sold in the state annually exceeds 100,000 vehicles based upon figures provided by the New Jersey Department of Environmental Protection Bureau of Mobile Sources.

(a) All apartment complexes, townhouse complexes, condominium complexes and cooperative complexes in excess of 20 residential units that do not provide individual garages for parking of vehicles.

(b) All office developments and warehouse developments in excess of 20,000 square feet of office, warehouse or other useable space.

(c) All hotels and motels in excess of 50 guest rooms.

(d) All large retail establishments referred to as "big box stores," grocery stores, and other retail establishments in excess of 10,000 square feet, as well as all gymnasiums and health clubs in excess of 10,000 square feet.

(e) All restaurants not classified as a "drive-in restaurant" in excess of 2,000 square feet.

(f) All movie theatres, roller skating rinks, commercial recreation establishments, mechanical amusement game rooms and other places of assembly.

3. The use groups specified below shall provide two EVCS in the common parking area, consisting of either DC fast charging stations or Level 2 EVCS with a minimum output rate of 15 kilowatts per hour.

(a) All automobile service stations that include a convenience store in excess of 4,000 square feet.

(b) All drive-in restaurants in excess of 2,000 square feet.

4. Each electric vehicle charging station space shall be not less than 9 feet wide or 18 feet in length. Where feasible, a vehicle charging station should comply with ADA standards.

5. Public electric vehicle charging stations are reserved for parking and charging electric vehicles only. It shall be unlawful for any person to park or leave standing a vehicle in a space designated for the charging of plug-in electric vehicles unless the vehicle is connected for charging purposes and actively charging. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.

6. Charging station outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a retraction device and/or a place to hang permanent cords and connectors a sufficient and safe distance above the ground or pavement surface. Equipment mounted on pedestals, lighting posts, or other devices shall be designated and located so as not to impede pedestrian travel or create trip hazards.

H. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

I. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

J. This Ordinance shall take effect upon passage and publication in accordance with applicable law. #11349739.1 #11450534.1

## **ORDINANCE O.2085-2020**

**EXPLANATION: An Ordinance authorizing the private sale of Block 922, Lot 1.A on the tax maps of the Township (more commonly known as 248 McKinley Street in the Township), an undersized land not needed for public use pursuant to *N.J.S.A. 40A:12-13*.**

**WHEREAS**, the Township of Edison (the “**Township**”) has identified certain of its property, more commonly known as Block 922, Lot 1.A on the Township tax maps (more commonly known as 248 McKinley Street in the Township) (the “**Property**”), as not needed for public use, and the Township desires to sell said Property by private sale in accordance with the Local Land and Buildings Law, *N.J.S.A. 40A:12-1 et seq.*, more particularly *N.J.S.A. 40A:12-13*; and

**WHEREAS**, the Property is a vacant lot situated in the R-BB zoning district and measures 66 feet by 123 feet; and

**WHEREAS**, there exists one (1) property holder owning land contiguous to the Property; and

**WHEREAS**, the municipal council of the Township (“**Municipal Council**”) hereby determines that the Property is less than the minimum size required for development under the Township’s Zoning Regulations (Chapter 37 of the Township’s Code of General Ordinances), and without any capital improvements thereon, and may therefore be offered for purchase to the contiguous property holder for a negotiated price, to be approved by resolution of the Municipal Council, pursuant to *N.J.S.A. 12-13(b)(5)*; and

**WHEREAS**, the use of the Property shall be restricted to one (1) single-family home constructed on the combined lots (the “**Combined Property**”).

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Clerk is authorized, subject to the terms and conditions hereafter set forth, to offer for private sale pursuant to *N.J.S.A. 40A:12-13(b)* all of the Township’s right, title and interest in the Property, at not less than fair market value thereof, to the owners of real property contiguous thereto, subject to the provision that the use be restricted to one (1) single-family home at the Combined Property.
3. This Ordinance shall be published twice in a newspaper approved for legal publications, once not less than seven (7) days prior to the second reading thereof in accordance with law applicable to the adoption of ordinances generally, and a second time within five (5) days after adoption hereof, at which time it shall also be posted on the bulletin board in the Township Municipal Building and remain so posted for at least twenty (20) days thereafter. Sworn proof of such publication(s) shall be filed by the Township Clerk with the Director of the State Division of Local Government Services in the Department of Community Affairs. A copy of this Ordinance shall also be mailed to the two owners of land contiguous to the Property.
4. The conveyance of the Property to the contiguous property owner shall be: (1) for the total parcel without the subdivision or sale of a portion thereof; (2) by quit claim deed without any covenants; (3) subject to any statement or facts which an accurate survey would show; (4) subject to all covenants, conditions, easements, liens and restrictions of record, as well as applicable ordinances of the Township; (5) without obligation of the Township to provide access, public or private, or any improvements thereon or thereto; (6) with all sales being “as is” without any representation whatever as to character, quality, condition or otherwise, contiguous property owner being deemed to have inspected the Property and waived any objections to the conditions thereon; and (7) subject to the provision that the use be restricted to one (1) single-family home at the Combined Property. The Township offers no warranty as to

any environmental condition which may exist on the Property and no representation as to the Property's development potential, and the Mayor of the Township shall execute a quitclaim deed to the contiguous property owner, 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.

5. The Property shall be deemed to merge and become one parcel for all purposes, including taxation and land use control, with a contiguous parcel as determined by the contiguous property owner.

6. The sale of the Property shall be for a negotiated price approved by resolution of the Municipal Council.

7. 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.

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

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