

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
MONDAY, APRIL 26, 2021
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 Desai Talk on December 11, 2020 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **REVIEW OF MINUTES:**
 - a. Combined Meeting of March 22, 2021
 - b. Combined Meeting of April 14, 2021
5. **REPORTS FROM ALL COUNCIL COMMITTEES:**
6. **POINTS OF LIGHT**
7. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution authorizing the sale of Surplus personal property no longer needed for public use on an online auction website (Resolution R.204-042021)
 - b. Resolution awarding Contract/Purchase through the Educational Services commission of New Jersey Cooperative Pricing System for Upgrade and Renewal of the Firewalls at all of our Remote Locations (\$24,208.80) (Resolution R.213-042021)
8. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through April 16, 2021 (Resolution R.199-042021)
 - b. Resolution authorizing refund in the amount of \$1,229,186.63 for redemption of tax sale certificates (Resolution R.200-042021)
 - c. Resolution authorizing refund of Tax Overpayments, totaling \$85,990.16 (Resolution R.201-042021)
 - d. This resolution authorizes the release of certain hydrant metering deposits held by the Township submitted in connection with hydrant metering applications WHM-0002-2020. (Resolution R.202-042021)
 - e. Resolution authorizing Overpayment refund caused by Successful Tax Court Appeal, totaling \$80,039.63 (Resolution R.203-042021)
 - f. Resolution authorizing a Professional Services Contract to Government Strategy Group for financial Management Services (not to exceed \$191,400.00) (resolution R.205-042021)

9. **FROM THE HEALTH DEPARTMENT:**

- a. Resolution awarding Non Fair and Open Contract to USA Architects for Architectural services for Restroom Renovation for Edison Township's Senior Center (26,500.00) (Resolution R.206-042021)

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

- a. Refunding Bond Ordinance Providing For The Refunding Of All Or A Portion Of The Outstanding Taxable General Obligation Bonds And Tax-Exempt General Obligation Bonds, Dated August 13, 2013, Of The Township Of Edison, In The County Of Middlesex, New Jersey, Appropriating \$8,500,000 Therefor And Authorizing The Issuance Of One Or More Series Of General Obligation Refunding Bonds In The Aggregate Principal Amount Of Not Exceeding \$8,500,000 For Financing The Cost Thereof. (Ordinance O.2101-2021)
- b. An Ordinance authorizing the grant of a non-exclusive Access Easement on Township-owned properties on part of the paved cartway on the extension of Meadow Road where it has not yet been accepted as a public right of way for the purpose of Community Solar facility construction and operation on part of the former Kin Buc Landfill Mound B Identified on the Tax Maps of the Township of Edison as Block 400, Lots 4, 5, 6, 7 and 9. (Ordinance O.2102-2021)

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

- a. Resolution provides for refund of a Construction Fee Permit (Resolution R.207-042021)
- b. Resolution refunding Engineering Inspection Fee (Resolution R.208-042021 & R.214-042021 & R.215-042021)
- c. Resolution Awarding Contract for Public Bid No. 21-03-04 NJDOT Municipal Aid FY2020 New Dover Road Rehabilitation Project (\$1,026,824.51) (Resolution R.209-042021)
- d. Resolution Awarding Contract for Public Bid No. 21-03-11 Suttons Lane Pedestrian Improvements (\$390,964.93) (Resolution R.210-042021)
- e. Resolution refunding of Cash Performance (Resolution R.216-042021)

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

- a. Resolution awarding contract/Purchase Order for the purchasing of Goodyear Tires and Tubes (not to exceed \$130,000.00) (Resolution 211-042021)

13. **FROM THE CHIEF OF POLICE:**

- a. Resolution awarding Contract/Purchase Order for the monitoring of the emergency Radio/Telephone systems (9-11, Dispatch, etc.) (\$35,355.28) (Resolution R.212-042021)

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

- a. Approval of Volunteer Firefighter

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

16. **DISCUSSION ITEMS:**

Council President Diehl

a. None

Councilmember Brescher

a. None

Councilmember Coyle

a. None

Councilmember Gomez

a. None

Councilmember Joshi

a. None

Councilmember Patil

a. None

Councilmember Diehl

a. None

17. **APPROVAL OF MINUTES:**

a. Combined Meeting of March 22, 2021

b. Combined Meeting of April 14, 2021

18. **COUNCIL PRESIDENT'S REMARKS**

19. **APPROVAL OF VOLUNTEER FIREFIGHTER:**

Oak Tree Volunteer Fire Company

Stephanie B. Kirkpatrick

20. **NEW BUSINESS:**

**PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR MONDAY,
MAY 10, 2021.**

O.2101-2021 REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING TAXABLE GENERAL OBLIGATION BONDS AND TAX-EXEMPT GENERAL OBLIGATION BONDS, DATED AUGUST 13, 2013, OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$8,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF GENERAL OBLIGATION REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$8,500,000 FOR FINANCING THE COST THEREOF.

O.2102-2021 AN ORDINANCE AUTHORIZING THE GRANT OF A NON-EXCLUSIVE ACCESS EASEMENT ON TOWNSHIP-OWNED PROPERTIES ON PART OF THE PAVED CARTWAY ON THE EXTENSION OF MEADOW ROAD WHERE IT HAS NOT YET BEEN ACCEPTED AS A PUBLIC RIGHT OF WAY FOR THE PURPOSE OF COMMUNITY SOLAR FACILITY CONSTRUCTION AND OPERATION ON PART OF THE FORMER KIN BUC LANDFILL MOUND B IDENTIFIED ON THE TAX MAPS OF THE TOWNSHIP OF EDISON AS BLOCK 400, LOTS 4, 5, 6, 7 AND 9.

21. PUBLIC COMMENT ON THE RESOLUTIONS

22. PROPOSED RESOLUTIONS

Copies of these Resolutions are available for review only and are posted in the Council Chambers. Anyone desiring a copy may contact the Township Clerk after the meeting.

Consent Agenda

R.199-042021 Resolution approving disbursements for the period ending April 16, 2021.

R.200-042021 Resolution authorizing refund in the amount of \$1,229,186.63 for redemption of tax sale certificates.

R.201-042021 Resolution authorizing refund of tax overpayments, totaling \$85,990.16.

R.202-042021 This resolution authorizes the release of certain hydrant metering deposits held by the Township submitted in connection with hydrant metering applications WHM-0002-2020.

R.203-042021 Resolution authorizing Overpayment refund caused by Successful Tax Court Appeal, totaling \$80,039.63.

R.204-042021 Resolution authorizing the sale of Surplus personal property no longer needed for public use on an online auction website.

R.205-042021 Resolution authorizing a Professional Services Contract to Government Strategy Group for financial Management Services in an amount not to exceed \$191,400.00.

- R.206-042021 Resolution awarding Non Fair and Open Contract to USA Architects for Architectural services for Restroom Renovation for Edison Township's Senior Center in the amount of \$26,500.00.
- R.207-042021 Resolution provides for refund of a Construction Fee Permit for Permit #2020-3942, for 6 Cedarwood Drive in the amount of \$507.00.
- R.208-042021 Resolution refunding Engineering Inspection Fee for application Z62-2011, Acct. #7760296217, block 591, lot 11.in the amount of \$6,055.97.
- R.209-042021 Resolution Awarding Contract for Public Bid No. 21-03-04 NJDOT Municipal Aid FY2020 New Dover Road Rehabilitation Project to American Asphalt & Millings Services in the amount \$1,026,824.51.
- R.210-042021 Resolution Awarding Contract for Public Bid No. 21-03-11 Suttons Lane Pedestrian Improvements to Berto Construction, Inc. \$390,964.93.
- R.211-042021 Resolution awarding contract/Purchase Order for the purchasing of Goodyear Tires and Tubes to Barnwell House of Tires in an amount not to exceed \$130,000.00.
- R.212-042021 Resolution awarding Contract/Purchase Order for the monitoring of the Emergency Radio/Telephone systems (9-11, Dispatch, etc.) to United Telephone Company of NJ, Inc. d/b/a CenturyLink in the amount of \$35,355.28.
- R.213-042021 Resolution awarding Contract/Purchase through the Educational Services commission of New Jersey Cooperative Pricing System for Upgrade and Renewal of the Firewalls at all of our Remote Locations in the amount of \$24,208.80.
- R.214-042021 Resolution refunding Engineering Inspection Fee for application P20-2018, Account # E1190603B, aka Block 22, Lot 3.D in the amount of \$2,276.75.
- R.215-042021 Resolution refunding Engineering Inspection Fee for application Z59-08/09, Account #7860296159, aka Block 555, Lots 2A, 3, 4B 7 4C. in the amount of \$6,577.89.
- R.216-042021 Resolution refunding of Cash Performance (Resolution R.216-042021 for application #P20-2018, Account CP191205BB, aka Block 22, Lot 3.D in the amount of \$1,500.00.

23. **ORAL PETITIONS AND REMARKS**

24. **ADJOURNMENT**

ORDINANCE O.2101-2021

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING TAXABLE GENERAL OBLIGATION BONDS AND TAX-EXEMPT GENERAL OBLIGATION BONDS, DATED AUGUST 13, 2013, OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$8,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF ONE OR MORE SERIES OF GENERAL OBLIGATION REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$8,500,000 FOR FINANCING THE COST THEREOF.

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

Section 1. The Township of Edison, in the County of Middlesex, New Jersey (the "Township"), is hereby authorized to refund (i) all or a portion of the \$6,249,000 outstanding principal amount of Tax-Exempt General Obligation Bonds, originally issued in the aggregate principal amount of \$13,144,000 by the Township on August 13, 2013, which amount matures on August 1 in each of the years 2024 through 2028, inclusive (the "Tax-Exempt Refunded Bonds"), and which are subject to redemption on any date on or after August 1, 2023 at the option of the Township at a redemption price of 100% of the principal amount of the Tax-Exempt Refunded Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption and (ii) all or a portion of the \$1,190,000 outstanding principal amount of Taxable General Obligation Bonds originally issued in the aggregate principal amount of \$3,215,000 by the Township on August 13, 2013, which amount matures on August 1 in each of the years 2024 through 2028, inclusive (the "Taxable Refunded Bonds", and together with the Tax-Exempt Refunded Bonds, the "Refunded Bonds"), and which are subject to redemption on any date on or after August 1, 2023 at the option of the Township at a redemption price of 100% of the principal amount of the Taxable Refunded Bonds to be redeemed, plus accrued interest thereon to the date fixed for redemption.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable refunding bonds (the "Refunding Bonds") are hereby authorized to be issued in the aggregate principal amount not to exceed \$8,500,000 pursuant to the Local Bond Law of the State of New Jersey (the "Local Bond Law").

Section 3. An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of Refunding Bonds authorized herein.

Section 4. The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the \$8,500,000 amount of the Refunding Bonds authorized by this refunding bond ordinance and that an amount representing the \$7,439,000 principal amount of the Refunded Bonds will be deductible from gross debt. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 5. The Township desires to provide for all or a portion of the principal amount of the Bonds outstanding and the interest and redemption premium, if any, thereon in order to provide for savings in debt service as a result of lower interest rates in the bond markets.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption.

Section 7. The Mayor, the Chief Financial Officer, the Township Clerk and other appropriate representatives of the Township are hereby authorized to prepare such documents, to publish such notices and to take such other actions as are necessary or desirable to enable the Township to prepare for the sale and the issuance of the Refunding Bonds authorized herein and to provide for the redemption of the Refunded Bonds referred to in Section 1 hereof.

Section 8. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted, which consent will be so endorsed in accordance with N.J.A.C. 5:30-2.5.

ORDINANCE O.2102-2021

EXPLANATION: An Ordinance authorizing the grant of a non-exclusive Access Easement on Township-owned properties on part of the paved cartway on the extension of Meadow Road where it has not yet been accepted as a public right of way for the purpose of Community Solar facility construction and operation on part of the former Kin Buc Landfill Mound B Identified on the Tax Maps of the Township of Edison as Block 400, Lots 4, 5, 6, 7 and 9.

WHEREAS, pursuant to *N.J.S.A. 40A:12-16* the Township of Edison (the “**Township**”) is authorized to exchange any lands, or rights of interests therein; and

WHEREAS, pursuant to Ordinances 0.766-94 and 0.766-69, the Township exchanged certain easements with several parties (the “**Kin Buc Parties**”) including the owner of the above referenced properties, Filcrest Realty, Inc.; and

WHEREAS, the easements that were for the benefit of the Kin Buc Parties were for the limited purpose of remedial response activities on the former Kin Buc landfill and adjoining Township-owned lands, but the access easements that those parties granted to the Township were not similarly limited in purpose;

WHEREAS, a tenant of Filcrest Realty, Inc., AC Power 8, LLC, has received site plan approval from the Edison Township Planning Board for construction of a solar photo-voltaic electricity generating facility at the above referenced properties that will operate within the Community Solar Program authorized by the New Jersey Board of Public Utilities and which will provide clean renewable electricity at discounted costs to households that low and moderate income households;

WHEREAS, the Township desires to support redevelopment of Mound B of the former Kin Buc landfill as a Community Solar facility and to extend (without additional consideration in light of the limited scope of rights previously granted) the previous exchange of easements authorized pursuant to Ordinances 0.766-94 and 0.766-69 to include grant to Filcrest Realty, Inc., its successors, assigns and tenants, a non-exclusive easement for vehicle, pedestrian and overhead utility access on the existing pole line for the proposed solar facility use on Block 400 Lots 4, 5, 6, 7 and 9;

WHEREAS, the Township-owned properties which lie under the paved cartway of the extension of Meadow Road where it has not yet been accepted as a public right of way and upon which the proposed access easements are to be granted are identified on the tax maps as Block 366-B Lot 18, and Block 400 Lot 2-A (collectively, the “**Properties**”); and

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

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

Section 2. The Township is hereby authorized to the exchange interests and rights in land pursuant to *N.J.S.A. 40A:12-16* and to exchange and convey the easements on the Properties, as listed on Exhibit A, attached hereto.

Section 3. The Mayor, Business Administrator and Township Attorney are hereby authorized and directed to take, or cause to be taken, any and all actions that are necessary to exchange and convey the easements on or along the Properties as deemed necessary.

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

Section 5. AC Power 8, LLC, shall reimburse the Township for all legal expenses and expenses of publication related to this transaction, not to exceed \$3,000.00.

Section 6. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section 7. This ordinance shall take effect in accordance with applicable law.

RESOLUTION R.199-042021

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING APRIL 22, 2021.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, April 22, 2021.

FUND	AMOUNT
Current	\$27,031,592.59
Affordable Housing	0.00
Capital	0.00
Cash Performance	0.00
CDBG	7,500.00
Developers Escrow	79,201.27
Dog (Animal Control)	286.60
Federal Forfeited	0.00
Grant Funds	82.00
Law Enforcement	0.00
Open Space	0.00
Park Improvements	3,105.00
Payroll Deduction	57,348.45
Sanitation Fund	314,776.69
Self Insurance	0.00
Sewer Utility	172,354.88
Tax Sale Redemption	57,176.63
Tree Fund	0.00
Tree Planting	0.00
Trust	267,425.66
Edison Water Utility	149,022.07
Edison Landfill Closure Trust	0.00
TOTAL	\$28,139,871.84

/s/ Nicholas C. Fargo
Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the above-referenced disbursements report is hereby approved.

RESOLUTION R.200-042021

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 **\$1,229,186.63**.

RESOLUTION R.201-042021

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 **\$85,990.16.**

RESOLUTION R.202-042021

EXPLANATION: This resolution authorizes the release of certain hydrant metering deposits held by the Township submitted in connection with hydrant metering applications WHM-0002-2020.

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

WHEREAS, C.E. Gleeson Constructors (the “**Applicant 0001**”) provided a \$5,000.00 deposit (the “**Deposit 0001**”) in connection with Hydrant Meter Application WHM-0002-2020 (the “**Application 0001**”); and

WHEREAS, the Applicants returned the meter equipment to the Township Water Department as required by the Applications and seek the return of the Deposits made in accordance with the Applications; and

WHEREAS, the Township seeks to return a portion of the Deposits to the Applicants, less the charges calculated in accordance with the Applications; and

WHEREAS, the Township seeks to issue \$5,000.00 from Deposit 0001 to the Township Water Department for the payment of charges calculated in connection with Application 0001; and

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The appropriate Township official is hereby authorized to execute all necessary paperwork in the release of the Deposit 0001 to the Township Water Department in the amount of \$5,000.00 for the payment of charges calculated in connection with Application 0001.
3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
4. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.

RESOLUTION R.203-042021

Authorizing Overpayment Refund caused by Successful Tax Court Appeal

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

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

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount and for the years listed, totaling **\$80,039.63**, and may also cause additional real estate tax overpayments for affected tax years for which the tax rate or assessment may not have been finalized, or payment not received or posted at the time of this resolution, and

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

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

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

- 1) Aforementioned recitals are incorporated herein as though fully set forth at length.
- 2) Tax Collector shall and is hereby authorized to adjust the tax accounts to reflect the reductions of assessments ordered by the tax court as indicated above.
- 3) Appropriate official of the Township of Edison, shall and is hereby authorized to draw check to the property owner or legal representative in the amounts:
 - a. Listed as part of this resolution totaling **\$80,039.63**.
 - b. Calculated by the Tax Collector after the setting of the tax rate and final assessment or further review payments, if at such time the account reflects a further overpayment related to this resolution.
 - c. Of interest at a rate of 5% per annum from the due date to the date of the payments as calculated by the Tax Collector upon request and confirmation of the Township’s Tax Appeal Lawyer.

RESOLUTION R.204-0420121

**RESOLUTION OF THE TOWNSHIP OF EDISON AUTHORIZING THE SALE OF SURPLUS
PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION
WEBSITE**

WHEREAS, The Township of Edison has determined that the property described on the attached Schedule and incorporated herein is no longer needed for public use; and

WHEREAS, the Township of Edison, as per R.071-122021, intends to utilize the online auction services of US GOVBID / AUCTION LIQUIDATION SERVICES, PO Box 1216 Eatontown, NJ 07724, web address www.usgovbid.com, for the amount of four and one half percent (4.5%) of the receipt of sales payable by the Township and a five percent (5%) Internet Service Fee payable by the buyer to the auction company; and

WHEREAS, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2019-15, and

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

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

1. The Township of Edison is hereby authorized to sell the surplus personal property as indicated on the attached Schedules on the online auction website entitled US GOVBID / AUCTION LIQUIDATION SERVICES, www.usgovbid.com.
2. The terms and conditions of the sale are available at www.usgovbid.com.

RESOLUTION R.205-042021

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO GOVERNMENT
STRATEGY GROUP FOR FINANCIAL MANAGEMENT SERVICES**

WHEREAS, the Township of Edison (the Township) has determined that it is in its best interests and those of the Township residents to engage a financial management services firm to support the Finance Department and to ensure proper financial reporting, and the Township is authorized pursuant by the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* ("Local Contracts Law") to contract for "professional services" as it may require; and

WHEREAS, Government Strategy Group, 450 Shrewsbury Plaza, #330, Shrewsbury, NJ 07702 has submitted a proposal to provide such services including, but not limited to, the areas of public finance and municipal accounting, and has extensive staff and resources that may be utilized to support the Township's Finance Department; and

WHEREAS, for these reasons the Mayor and the Municipal Council recommend Government Strategy Group for its Financial Management Services and seek to enter a contract with Government Strategy Group to provide for same for a period of one year from June 23, 2021; and

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

WHEREAS, this Contract is not awarded through a "fair and open process" pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

WHEREAS; the total amount of this contract shall be in the amount of \$15,950.00 per month, payable in monthly installments, not to exceed \$191,400.00 for the one year contract; and

WHEREAS, prior to entering into a contract, Government Strategy Group, 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 Government Strategy Group from making any reportable contributions through the term of this one year contract; and

WHEREAS, funds for this contract in the amount not to exceed \$191,400.00 will be available in the Finance Department– Other Professional Services Account, subject to and contingent upon appropriation of sufficient funds in both the 2021 and 2022 budgets; 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 Township is hereby authorized to execute a contract and any other necessary documents, with Government Strategy Group, 450 Shrewsbury Plaza, #330, Shrewsbury, NJ 07702, in an amount not to exceed \$191,400.00 as set forth above.

2. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.5 et. seq, and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUITON R.206-042021

**RESOLUTION AWARDING NON FAIR AND OPEN CONTRACT TO USA ARCHITECTS FOR
ARCHITECTURAL SERVICES FOR RESTROOM RENOVATIONS FOR EDISON TOWNSHIP'S
SENIOR CENTER**

WHEREAS; Edison Township is in need of an architectural firm for restroom renovations for the Senior Center; and

WHEREAS, the Township of Edison issued a Request for Proposals for Architectural Services, RFP 20-03, seeking proposals from qualified individuals and firms to provide architectural services on an as-needed basis for Township projects; and

WHEREAS, after evaluation of responses, Resolution R.331-72020 approved USA Architects as a qualified Architect for the Township of Edison subject to subsequent authorization by Council; and

WHEREAS; USA ARCHITECTS, 20 N. Doughty Avenue, Somerville, NJ 08876, has submitted a proposal to provide architectural services for restroom renovations for a price not to exceed \$26,500.00; and

WHEREAS, funds in the amount of \$26,500.00 have been certified to be available in the Infrastructure Improvements Account, No. T-14-19-0520-000-002; and

WHEREAS, prior to payment, USA ARCHITECTS, 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 USA ARCHITECTS, from making any reportable contributions through the term of the contract; 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 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 in the amount not to exceed \$26,500.00, and any other documents with USA ARCHITECTS, 20 N. Doughty Avenue, Somerville, NJ 08876 in accordance with the proposal.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
3. 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 **\$26,500.00** are available for the above contract in Account No. **T-14-19-0520-000-002**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.207-042021

EXPLANATION: This resolution provides for refund of the construction permit fee, less the DCA fee & Review fee, posted for a residential Solar installation permit at 6 Cedarwood Dr, Edison, NJ 08820

WHEREAS, on November 24, 2020 a Construction Permit, # 2020-3942, check #2102, was posted in the total amount of \$674.00 by the contractor, Tesla Energy., having offices at 1 Chapin Road Unit 4, Pine Brook, NJ 08837; and

WHEREAS, the application was submitted for a Solar Installation at 6 Cedarwood Dr Edison, NJ 08820 By the hired contractor, Tesla Energy, The resident has cancelled the job.

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was never done and the contractor is asking for a refund of permit cost in the amount of \$507.00.00 less DCA fee of \$41.00, less 20 percent of review fee \$126.00, the total refund in the amount of \$507.00 is the total refund for Tesla Energy, having offices at 1 Chapin Road Unit 4, Pine Brook, NJ 08837

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$507.00 on construction permit fees posted by Tesla Energy, having offices at 1 Chapin Road Unit 4, Pine Brook, N.J. 08837, be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$507.00 from the Refund of Revenue Fund to the Contractor, Tesla Energy Operations Inc., having offices at 1 Chapin Road Unit 4, Pine Brook, N.J. 08837

RESOLUTION R.208-042021

EXPLANATION: Resolution Refunding Engineering Inspection Fees to Kang Enterprises, LLC, for Korean Cultural Center, Application# Z62-2011, Account # 7760296217.

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject, Korean Cultural Center located in Block: 590 Lot: 11

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

WHEREAS, it is in now in order that the sum of \$6,055.97, which represents the amount due and owing the applicant, be returned to Kang Enterprises, LLC, 5 Olsen Avenue, Edison, NJ 08820, for the Korean Cultural Center, Account # 7760296217.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$6,055.97 plus accrued interest, if applicable, be refunded to the applicant, Kang Enterprises, LLC, Account # 7760296217.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$6,055.97 in account # 7760296217 to the applicant Kang Enterprises, LLC having an address of 5 Olsen Avenue, Edison, NJ 08820.

RESOLUTION R.209-042021

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO AMERICAN ASPHALT & MILLING SERVICES LLC, FOR NJDOT MUNICIPAL AID FY2020 NEW DOVER ROAD REHABILITATION PROJECT

WHEREAS, bids were received by the Township of Edison on April 13, 2021 for Public Bid No. 21-03-04 NJDOT Municipal Aid FY2020 New Dover Road Rehabilitation Project; and

WHEREAS, AMERICAN ASPHALT & MILLING SERVICES LLC, 96 Midland Ave, Kearny, NJ 07032, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$1,026,824.51; and

WHEREAS, funds in the amount of \$525,000.00 have been certified to be available in the NJDOT New Dover Road Grant, Account No. G-02-20-0165-812-000 and funds in the amount of \$501,824.51 have been certified to be available in the Paving/Reconstruction of Various Streets, Account No. C-04-19-2060-106-000; and

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

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

1. All bids have been reviewed, and the bid submitted by AMERICAN ASPHALT & MILLING SERVICES LLC, 96 Midland Ave, Kearny, NJ 07032, for NJDOT Municipal Aid FY2020 New Dover Road Rehabilitation Project is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$1,026,824.51 and any other necessary documents, with AMERICAN ASPHALT & MILLING SERVICES LLC, as described herein.
3. The Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$525,000.00** are available in Account No. **G-02-20-0165-812-000** and funds in the amount of **\$501,824.51** are available in Account No. **C-04-19-2060-106-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.210-042021

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO BERTO CONSTRUCTION INC.,
FOR SUTTONS LANE PEDESTRIAN IMPROVEMENTS**

WHEREAS, bids were received by the Township of Edison on April 13, 2021 for Public Bid No. 21-03-11 Suttons Lane Pedestrian Improvements; and

WHEREAS, BERTO CONSTRUCTION INC., 625 Leesville Ave, Rahway, NJ 07065, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$390,964.93; and

WHEREAS, funds in the amount of \$390,964.93 have been certified to be available in the Paving/Reconstruction of Various Streets, Account No. C-04-19-2060-106-000; and

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

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

1. All bids have been reviewed, and the bid submitted by BERTO CONSTRUCTION INC., 625 Leesville Ave, Rahway, NJ 07065, for Suttons Lane Pedestrian Improvements is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$390,964.93 and any other necessary documents, with BERTO CONSTRUCTION INC., as described herein.
3. The Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$390,964.93** are available in Account No. **C-04-19-2060-106-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.211-042021

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO BARNWELL HOUSE OF TIRES, INC. FOR THE PURCHASING OF GOODYEAR TIRES AND TUBES

WHEREAS, there is a need to purchase Goodyear Tires and Tubes for Edison Township vehicles; and

WHEREAS, the Township of Edison is a member of the EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING SYSTEM #65MCESCCPS; and

WHEREAS, BARNWELL HOUSE OF TIRES, INC., 112 Lehigh Drive, Fairfield, NJ 07004 has been awarded Contract ESCNJ 20/21-51 (Tires and Tire Repairs) through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order(s) with BARNWELL HOUSE OF TIRES, INC., for the purchase of Goodyear Tires and Tubes; and

WHEREAS, the total amount of this contract, not to exceed \$130,000.00, 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 \$130,000.00 with BARNWELL HOUSE OF TIRES, INC., 112 Lehigh Drive, Fairfield, NJ 07004, 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 R.212-042021

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO UNITED TELEPHONE COMPANY OF NJ, INC. D/B/A CENTURYLINK FOR THE MONITORING OF THE EMERGENCY RADIO/TELEPHONE SYSTEMS (9-1-1, DISPATCH, ETC.) FOR THE DIVISION OF POLICE

WHEREAS, there is a need to procure monitoring of 911 equipment and software including any software upgrades needed for the Emergency Telephone Systems (9-1-1 Center, Communications, etc.) for the Division of Police for the period expiring April 25, 2022; and

WHEREAS, UNITED TELEPHONE COMPANY OF NJ, INC. D/B/A CENTURYLINK, PO Box 4305, Carol Stream, IL 60197-4305 has been awarded State Contract Number 83925 under T-0109/Radio Communication Equipment and Accessories which covers this contract; and

WHEREAS, funds in the amount of \$35,355.28 have been certified to be available in the Dispatch 911 Maintenance of Other Equipment Account, number 1-01-25-0250-000-026 subject to and contingent upon the availability of sufficient funds in the 2021 temporary and/or permanent budget; 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, 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 \$35,355.28 and any other necessary documents, with UNITED TELEPHONE COMPANY OF NJ, INC. D/B/A CENTURYLINK, PO Box 4305, Carol Stream, IL 60197-4305 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. 83925 under T-0109.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$35,355.28** are available for the above contract in Account No. **1-01-25-0250-000-026** subject to and contingent upon the availability of sufficient funds in the 2021 temporary and/or permanent budget.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R,213-042021

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT
INCORPORATED THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY
COOPERATIVE PRICING SYSTEM FOR THE UPGRADE AND RENEWAL OF THE FIREWALLS AT
ALL OF OUR REMOTE LOCATIONS**

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 Township of Edison is a member of the EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING SYSTEM #65MCESCCPS; and

WHEREAS, CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484 has been awarded Contract ESCNJ 18/19-03 (Technology Supplies & Services) through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order(s) with CDW GOVERNMENT INCORPORATED for the upgrade and renewal of the firewalls at all our remote locations; and

WHEREAS, funds in the amount of \$24,208.80 have been certified to be available in Acquisition of Computer Equipment Account, number C-04-16-1948-106-000; 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, 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 \$24,208.80 and any other necessary documents, with CDW-GOVERNMENT LLC, 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 ESCNJ 18/19-03 (Technology Supplies & Services).

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$24,208.80** are available in Account number **C-04-16-1948-106-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.214-042021

**EXPLANATION: Resolution Refunding Engineering Inspection Fees to B &B McEntee, for Lotito Foods
(220-240 Carter Drive)
Application# P20-2018, Account # EI190603B**

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject, Lotito Foods, located in Block: 22 Lot: 3.D.

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

WHEREAS, it is in now in order that the sum of \$2, 276.75, which represents the amount due and owing the applicant, be returned to B &B McEntee, having offices at 20 Edison Drive, Wayne, NJ 07470, Account # EI190603B.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$2,276.75 plus accrued interest, if applicable, be refunded to the applicant, B & B McEntee, Account # EI190603B.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$2, 276.75 in account # EI190603B to the applicant, B &B McEntee, having an address of 20 Edison Drive, Wayne, NJ 07470.

RESOLUTION R.215-042021

EXPLANATION: Resolution Refunding Engineering Inspection Fees to Toranco-Oak Tree Road Associates, LLC, 2163 Oak Tree Road, Suite 101, Edison, NJ 08820
Application Z59-08/09, Account # 7760296159

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject located in Block: 555 Lots: 2A, 3, 4B, & 4C.

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

WHEREAS, it is in now in order that the sum of \$6,577.89, which represents the amount due and owing the applicant, be returned to Toranco-Oak Tree Road Associates, 2163 Oak Tree Road, Suite 101, Edison, NJ 08820, Account # 7760296159.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$6,577.89 plus accrued interest, if applicable, be refunded to the applicant, Toranco-Oak Tree Road Associates, LLC, Account # 7760296159.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$6,577.89 in account # 7760296159 to the applicant, Toranco-Oak Tree Road Associates, LLC, having an address of 2163 Oak Tree Road, Suite 101, Edison, NJ 08820.

RESOLUTION R.216-042021

EXPLANATION: Resolution Refunding Cash Performance to B &B McEntee, for Lotito Foods (220-240 Carter Drive). Application # P20-2018 in Account # CP191205BB.

WHEREAS, the Township Engineer advises that an inspection has been made of Lotito Foods, Application # P20-2018 , 220-240 Carter Drive, Block: 22 Lot: 3.D , and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance posted on in the amount of \$1,500.00 plus accrued interest, if applicable on deposit in account # CP191205BB with the Township of Edison, principal being B &B McEntee, having offices at 20 Edison Drive, Wayne, NJ 07470, and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to return the aforesaid Cash Performance in the amount of \$1,500.00 plus accrued interest, if applicable, on deposit in account # CP191205BB to the applicant, B & B McEntee, 20 Edison Drive, Wayne, NJ 07470.