

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Monday, May 10, 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. **PRESENTATION:**

AC Power - regarding Access Easement Ordinance O.2102-2021
5. **REVIEW OF MINUTES:**
 - a. Combined Meeting of April 26, 2021
- . **REPORTS FROM ALL COUNCIL COMMITTEES:**
6. **POINTS OF LIGHT**
7. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution Awarding Contract/Purchase Order for Replacement of Seven Network Switches for Various Township Offices (\$16,788.00) (Resolution R.228-052021)
 - b. This resolution enables the Township of Edison to develop and submit a viable application to the Middlesex County Department of Planning Division of Solid Waste Management 2021 Municipal Recycling Enhancement Grant Program for a maximum amount of \$7,500.00 in awarded grant funds to install security cameras to prevent illegal dumping and purchase indoor recycling bins for municipal buildings or schools throughout Edison. (Resolution R.229-052021)
8. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through May 6, 2021 (Resolution R.217-052021)
 - b. Resolution authorizing refund in the amount of \$78,696.75 for redemption of tax sale certificates (Resolution R.218-052021)
 - c. Resolution authorizing refund for Tax Overpayments, totaling \$122,000.45 (Resolution R.219-052021)
 - d. Temporary Budget Appropriation (Resolution R.220-052021)
 - e. Resolution authorizing Cancellation and Refund of Taxes for Exempted Disabled Veteran (Resolution R.221-052021)

- f. Resolution authoring overpayment refund caused by Successful Tax Court Appeal (Resolution R.222-052021)
 - g. Resolution authorizing establishment of a change fund for water (Resolution R.223-052021)
 - h. Resolutions authorizing the Settlement of Tax Appeals (Resolution R.224-052021 through R.227-052021)
9. **FROM THE DEPARTMENT OF LAW:**
- a. An Ordinance Authorizing the Execution of a Lease Agreement Between the Township of Edison and The Jewish Renaissance Foundation for use of the Township's Dr. William Toth Memorial Health Center as a Federally Qualified Health Center. (Ordinance O.2103-2021)
 - b. Resolution authorizing an Application for Grant Funding by the New Jersey Department of Community Affairs for cost associated with Landfill closure design and permitting requirements to close the Edison Landfill. (Resolution R.236-052021)
10. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 20-30-04: FY 2019 NJDOT LOCAL FREIGHT IMPACT FUND RARITAN CENTER PARKWAY; and authorizes FINAL CONTRACT PAYMENT including final retainage totaling in the amount of \$18,727.36 and close-out of the construction project. (Resolution R.230-052021)
 - b. Resolution refunding of Tree Maintenance Bonds (4) (Resolution R.231-052021 through R.234-052021)
 - c. Resolution refunding Engineering Inspection Fess (Resolution R.235-052021)
11. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Resolution Awarding Contract/Purchase Order Storr Tractor Company for the furnishing of Parts and repairs for Lawn and Grounds Equipment (not to exceed \$20,000.00) (Resolution R.237-052021)
 - b. Resolution awarding Contact for Public Bid No. 21-04-15 Supply and Delivery of Various Flowers and Vines for the Township (\$45,525.00) (Resolution R.238-052021)
 - c. Resolution awarding contract for Public Bid No. 21-04-16 Planting of Various Township Supplied Flowers and Vines (\$19,875.00) (Resolution R.239-052021)
12. **FROM THE CHIEF OF FIRE:**
- a. Approval of Volunteer Firefighter.
13. **FROM THE CHIEF OF POLICE:**
- a. Resolution awarding Contract for Public Bid No. 21-03-30 Edison Restroom Renovations for Police (\$216,000.00) (Resolution R.240-052021)

- b. Resolution approving Participation in FY2021 Federal Bulletproof Vest Partnership matching funds grant not to exceed \$20,000.00. (Resolution R.241-052021)

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

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

**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.**

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 Ship-Freeman

a. None

17. **APPROVAL OF MINUTES:**

a. Combined Meeting of April 26, 2021

18. **COUNCIL PRESIDENT'S REMARKS**

19. **APPROVAL OF VOLUNTEER FIREFIGHTER:**

Oak Tree Volunteer Fire Company

Daniel T. Ricigliano

20. **UNFINISHED BUSINESS:**

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

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. **NEW BUSINESS:**
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR MONDAY, MAY 24, 2021.

O.2103-2021 AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF EDISON AND THE JEWISH RENAISSANCE FOUNDATION FOR USE OF THE TOWNSHIP'S DR. WILLIAM TOTH MEMORIAL HEALTH CENTER AS A FEDERALLY QUALIFIED HEALTH CENTER.

22. **PUBLIC COMMENT ON THE RESOLUTIONS**

23. **PROPOSED RESOLUTIONS**

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

Consent Agenda

R.217-052021 Resolution approving disbursements for the period ending May 6, 2021.

R.218-052021 Resolution authorizing refund in the amount of \$ 78,696.75 for redemption of tax sale certificates.

R.219-052021 Resolution authorizing refund of tax overpayments, totaling \$122,000.45.

R.220-052021 Temporary Budget Appropriation

R.221-052021 Resolution authorizing Cancellation and Refund of Taxes for Exempted Disabled Veteran in the amount of \$7,297.20.

R.222-052021 Resolution authorizing overpayment refund caused by Successful Tax Court Appeal in the amount of \$6,883.98.

R.223-052021 Resolution authorizing establishment of a change fund for water in the amount of \$300.00.

R.224-052021 Resolution authorizing the Settlement of Tax Appeal for Edison 1 North 35C, LLC by Stop & Shop Supermarket Co. for tax years 2016,2017,2019,2020 and 2021 aka 1049 U.S. Route 1, Block 199A., Lot 35.03.

R.225-052021 Resolution authorizing the Settlement of Tax Appeal for Edison Land Investment, LLC, for the tax years 2018, 2019, 2020 and 2021 aka 889-1011 U.S. Route 1, Block 198.L, Lot 37.15.

R.226-052021 Resolution authorizing the Settlement of Tax Appeal for 399 Thornall Street, LLC for tax years 2018, 2019, 2020 and 2021, aka 399 Thornall Street, Block 676, Lot 2.B4

- R.227-052021 Resolution authorizing the Settlement of Tax Appeal for JSM at Talmadge, LLC for tax years 2019 and 2020, aka Talmadge and new Durham Road, Block 50.A, Lot 3.
- R.228-052021 Resolution Awarding Contract/Purchase Order for Replacement of Seven Network Switches for Various Township Offices in the amount of \$16,788.00.
- R.229-052021 This resolution enables the Township of Edison to develop and submit a viable application to the Middlesex County Department of Planning Division of Solid Waste Management 2021 Municipal Recycling Enhancement Grant Program for a maximum amount of \$7,500.00 in awarded grant funds to install security cameras to prevent illegal dumping and purchase indoor recycling bins for municipal buildings or schools throughout Edison.
- R.230-052021 This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 20-30-04: FY 2019 NJDOT LOCAL FREIGHT IMPACT FUND RARITAN CENTER PARKWAY; and authorizes FINAL CONTRACT PAYMENT including final retainage totaling in the amount of \$18,727.36 and close-out of the construction project.
- R.231-052021 Resolution refunding of Tree Maintenance Bond for 6 Farmhaven Avenue, block 992, Lot 3, Acct.# TP171031RA in the amount of \$900.00.
- R.232-052021 Resolution refunding of Tree Maintenance Bond for 63 Terry Avenue, Block 643.V, Lot 1.03, Acct.#77602377695 in the amount of \$450.00.
- R.233-052021 Resolution refunding of Tree Maintenance Bond for 6 Jego Court, Block 425, Lot 13.10, Acct. #TP190213SP in the amount of \$2,100.00.
- R.234-052021 Resolution refunding of Tree Maintenance Bond for 1 Herron Road, Block 1009, Lot 1, Acct. # TP180904MA in the amount of \$2,475.00.
- R.235-052021 Resolution refunding Engineering Inspection Fees to Dynamic Engineering Consultants, PC for McDonalds's (1511 Route 1, Edison, NJ 08817) Account #E1200225DY in the amount of \$1,904.50.
- R.236-052021 Resolution authorizing an Application for Grant Funding by the New Jersey Department of Community Affairs for cost associated with Landfill closure design and permitting requirements to close the Edison Landfill.
- R.237-052021 Resolution Awarding Contract/Purchase Order Storr Tractor Company for the furnishing of Parts and repairs for Lawn and Grounds Equipment in an amount not to exceed \$20,000.00.
- R.238-052021 Resolution awarding Contract for Public Bid No. 21-04-15 Supply and Delivery of Various Flowers and Vines for the Township to Hionis Greenhouses, Inc. in the amount of \$45,525.00.
- R.239-052021 Resolution awarding contract for Public Bid No. 21-04-16 Planting of Various Township Supplied Flowers and Vines to On Site Landscape Management in the amount of \$19,875.00.
- R.240-052021 Resolution awarding Contract for Public Bid No. 21-03-30 Edison Restroom Renovations for Police to George Koustas Painting Construction, LLC in the amount of \$216,000.00.

R.241-052021 Resolution approving Participation in FY2021 Federal Bulletproof Vest Partnership matching funds grant not to exceed \$20,000.00.

24. **ORAL PETITIONS AND REMARKS**

25. **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.

ORDINANCE O.2103-2021

EXPLANATION: An Ordinance Authorizing the Execution of a Lease Agreement Between the Township of Edison and The Jewish Renaissance Foundation for use of the Township's Dr. William Toth Memorial Health Center as a Federally Qualified Health Center.

WHEREAS, the Jewish Renaissance Foundation (the "Foundation") has requested to lease the Township of Edison's Dr. William Toth Memorial Center (the "Toth Site") located at 80 Idlewild Road as a Federally Qualified Health Center ("FQHC"); and

WHEREAS, the Foundation is a non-profit organization located in Perth Amboy, New Jersey and according to its mission statement, the Foundation provides assistance involving health, human services, community development and youth programs aimed at overcoming poverty and hopelessness throughout Middlesex County; and

WHEREAS, the Foundation wishes to provide comprehensive, high quality primary and preventative healthcare services to the uninsured and medically underserved residents of the Township and non-residents who utilize the Center; and

WHEREAS, the Toth Site is currently being used by the Township for the provision of the following services: STD Clinics on Monday evenings, special immunizations on Wednesdays, WIC Clinic twice per month and Blood Pressure Screenings on Friday mornings; and

WHEREAS, the FQHC will provide the following services at the Toth Site: Adult Medicine (treatment of acute and chronic illnesses); primary preventative care; pre-employment physicals, screening, high blood pressure, diabetes, cholesterol, adult immunizations, patient education; Gynecological services; pediatric services; administration; triage and ancillary & referrals (mental/substance abuse, counseling, etc.); and

WHEREAS, the Township may lease the Toth Site to the Foundation by ordinance, pursuant to N.J.S.A. 40A:12-1 et. seq. of the Local Lands and Buildings Law; and

WHEREAS, there is a desire to approve a lease agreement with the Foundation for use of the Toth Site as a FQHC, in the form set forth in the attached hereto as Exhibit A (the "Lease Agreement").

NOW THEREFORE, BE IT ORDAINED, 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 Municipal Council approves the execution of the Lease Agreement with the Jewish Renaissance Foundation for use of the Dr. William Toth Memorial Health Center as a Federally Qualified Health Center.

3. The Mayor is authorized to execute the Lease Agreement in substantially the form attached hereto as **Exhibit A**, and 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.

4. 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.

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

6. 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.

RESOLUTION R.217-052021

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING MAY 6, 2021.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, May 6, 2021.

FUND	AMOUNT
Current	\$19,174,829.30
Affordable Housing	8,872.01
Capital	84,723.53
Cash Performance	18,256.44
CDBG	12,606.79
Developers Escrow	3,986.70
Dog (Animal Control)	9,718.10
Federal Forfeited	0.00
Grant Funds	232.00
Law Enforcement	0.00
Open Space	0.00
Park Improvements	17,343.00
Payroll Deduction	931,548.73
Sanitation Fund	101,511.51
Self Insurance	0.00
Sewer Utility	105,018.44
Tax Sale Redemption	1,596,337.09
Tree Fund	16,000.00
Tree Planting	0.00
Trust	292,023.32
Edison Water Utility	86,304.18
Edison Landfill Closure Trust	0.00
TOTAL	\$22,459,311.14

/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.218-052021

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 **78,696.75**.

RESOLUTION R.219-052021

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

RESOLUTION R.220-052021

TEMPORARY BUDGET APPROPRIATIONS

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

WHEREAS, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by March 30, 2021 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2021 Calendar Year Budget,

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

<u>CURRENT FUND</u>	<u>AMOUNT</u>
BUSINESS ADMINISTRATOR Salary	71,922.07
BUSINESS ADMINSTRATOR Other Expenses	6,995.42
PURCHASING Salary	34,047.97
PURCHASING Other Expenses	7,682.75
PURCHASING CENTRAL STORE Other Expenses	4,362.00
COMMUNICATIONS/EDISON TV Salary	24,150.88
COMMUNICATIONS/EDISON TV Other Expenses	4,575.00
PERSONNEL/HR Salary	21,506.69
PERSONNEL/HR Other Expenses	9,000.00
MAYOR Salary	8,400.26
MAYOR Other Expenses	200.00
COUNCIL Salary	8,252.76
COUNCIL Other Expenses	2,073.33
MUNICIPAL CLERK Salary	8,606.90
MUNICIPAL CLERK Other Expenses	14,425.00
ETHICS COMMISSION Other Expenses	833.33
FINANCE DEPARTMENT Salary	1,200.00
FINANCE DEPARTMENT Other Expenses	10,870.83
DISBURSEMENTS Salary	32,120.75

DISBURSEMENTS Other Expenses	369.00
PAYROLL Salary	5,501.96
PAYROLL Other Expenses	2,681.58
AUDIT SERVICES	6,007.33
DATA PROCESSING Other Expenses	0.00
TAX COLLECTION Salary	15,103.22
TAX COLLECTION Other Expenses	2,976.67
TAX ASSESSMENT Salary	19,808.23
TAX ASSESSMENT Other Expenses	12,333.33
LEGAL DEPARTMENT Salary	9,851.39
LEGAL DEPARTMENT Other Expenses	61,666.67
ENGINEERING SERVICES Salary	44,277.80
ENGINEERING SERVICES Other Expenses	22,015.08
PLANNING BOARD Other Expenses	2,266.67
ENVIRONMENTAL COMM Other Expenses	108.33
ZONING BOARD Other Expenses	2,320.83
PLANNING & ZONING DEPT Salary	40,386.30
PLANNING & ZONING Other Expenses	8,500.00
CONSTRUCTION ENFORC AGENCY Salary	175,347.42
CONST ENF AGENCY Other Expenses	15,520.83
RENT CONTROL BOARD Salary	0.00
RENT CONTROL BOARD Other Expenses	116.67
GROUP HEALTH INSURANCE	2,812,927.69
EMPLOYEE SALARY AND WAGES(WAIVERS)	30,000.00
UNEMPLOYMENT INSURANCE EXPENSE	0.00
INSURANCE & SURETY Expense	0.00
LOSAP-Other Expenses	
POLICE DEPARTMENT Salary	3,626,582.61

POLICE DEPARTMENT Other Expenses	96,479.17
DISPATCH 911 Salary	285,246.16
DISPATCH 911 Other Expenses	45,375.00
OFFICE OF EMRGNCY MGMT Other Expenses	1,250.00
AID TO VOL FIRE	0.00
AID TO VOL FIRST AID	0.00
FIRE FIGHTING Salary	2,510,559.28
FIRE FIGHTING Other Expenses	82,164.42
FIRE PREVENTION Salary	43,507.74
FIRE PREVENTION Other Expenses	9,258.33
FIRE HYDRANT CHARGES	147,502.75
STREETS & ROADS Salary	81,799.73
STREETS & ROADS Other Expenses	27,066.67
SOLID WASTE RECYCLING Salary	120,212.11
SOLID WASTE RECYCLING Other Expenses	5,125.00
BUILDINGS & GROUNDS Salary	112,223.30
BUILDINGS & GROUNDS Other Expenses	20,041.67
MUNICIPAL GARAGE Salary	164,307.53
MUNICIPAL GARAGE Other Expenses	7,991.67
POLICE VEHICLES Salary	38,377.69
POLICE VEHICLES Other Expenses	19,237.50
CONDO COMMUNITY COSTS	0.00
HEALTH Salary	156,588.54
HEALTH Other Expenses	12,158.33
SENIOR CITIZEN Salary	54,867.67
SENIOR CITIZEN Other Expenses	3,312.50
RECREATION Salary	141,789.83
RECREATION Other Expenses	25,863.42

PARKS & TREES Salary	125,720.92
PARKS & TREES Other Expenses	74,341.67
FREE PUBLIC LIBRARY Salary	335,856.69
FREE PUBLIC LIBRARY Other Expenses	282,177.27
CELEBRATION OF PUBLIC EVENTS EXPENSES	5,083.33
PUBLIC BUILDINGS HEAT,LIGHT,POWER	52,083.33
STREET LIGHTING EXPENSE	95,833.33
PUBLIC BUILDINGS TELEPHONE	18,333.33
FUEL & LUBRICANTS Other Expenses	51,320.42
CONTINGENT Expense	4,166.67
O.A.S.I. (SOCIAL SECURITY) Expense	424,236.00
Defined Contribution Retirement Program Expenses	2,916.67
MUNICIPAL COURT Salary	33,486.69
MUNICIPAL COURT Other Expenses	4,755.83
PUBLIC DEFENDER Salary	3,115.38
PUBLIC DEFENDER Other Expenses	166.67
STRENGTHENING LOCAL PUBLIC HEALTH PRIORITY PROGRAM	142,236.00
TOTAL CURRENT FUND	<u><u>13,056,031.76</u></u>

SEWER UTILITY FUND**AMOUNT**

SEWER Salary	257,926.81
SEWER Other Expenses	406,741.67
SEWER Sewerage Disposal Charges	466,865.09
SEWER Capital Improvement Projects	416,666.67
SEWER Public Emp Retirement Sys (PERS)	0.00
SEWER Social Security (OASI)	11,739.45
	0.00
TOTAL SEWER UTILITY FUND	1,559,939.69

SANITATION FUND**AMOUNT**

SANITATION Salary	150,157.21
SANITATION Other Expenses	198,649.75
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	298,605.50
SANITATION Public Emp Retirement Sys (PERS)	0.00
SANITATION Social Security (OASI)	16,666.67
SANITATION Disposal Fees	175,000.00
SANITATION-Capital Outlay	83,333.33
TOTAL SANITATION FUND	922,412.46

WATER UTILITY FUND**AMOUNT**

WATER Salary	97,622.83
WATER Other Expenses	58,116.09
WATER Bulk Water Purchase	583,333.33
WATER Capital Outlay	62,500.00
WATER Public Emp Retirement Sys (PERS)	
WATER Social Security (OASI)	8,948.25
TOTAL WATER UTILITY FUND	810,520.50

RESOLUTION R.221-052021

Authorizing Cancellation and Refund of Taxes for Exempted Disabled Veteran

WHEREAS, pursuant to N.J.S.A. 54:4-3.30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

WHEREAS, Attached listing includes veterans who have been determined to have suffered a 100% service-related disability, with the determination of said disability being retroactive to the indicated effective date; and their respective owned properties, identified with their block, lot and qualifier, were already billed for indicated tax year; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.32, the governing body of a municipality may cancel by resolution taxes due on a property which would have been exempt had the claim been made at the time they were due; and

WHEREAS, as permitted by N.J.S.A. 54:4-3.32, Township Code Section 5-7(d) also authorizes the return of property taxes for the current year and prior year but not greater than for a twenty-four (24) month period in the aggregate, or, should the Veteran's Administration determine that a veteran's disability date is greater than twenty-four (24) months from the date the applicant submits his/her application with the Tax Assessor's office, the Township will only be obligated to return taxes for a period of no greater than twenty-four (24) months from receipt of a completed application to the Tax Assessor; and

WHEREAS, pursuant to Township Code Section 5-7(d) the listed applicants are also due a refund of property taxes paid from the effective date of the determination; and the Tax Collector has reviewed the applications, approvals and taxes paid and recommends that the listed applicants are entitled to receive refund of paid taxes in the amount indicated on the attached list.

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 Township Council of the Township of Edison that property taxes due and assessed as specified on the attached list be cancelled for the indicated quarters, tax years and amounts, and also refunded for the municipal property taxes already paid from the effective date; and

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 disabled parties for the taxes already paid during the applicable exemption periods set forth and for the amount specified in the attached list totaling **\$7,297.20**.

RESOLUTION R.222-052021

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 **\$6883.98**, 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 **\$ 6,883.98**.
 - 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.223-052021

AUTHORIZING ESTABLISHMENT OF A CHANGE FUND FOR WATER

WHEREAS, the Water Billing and Collections within the Department of Water is responsible for collection of Water User Charges; and

WHEREAS, a necessary part of collecting said charges is the ability to make the proper change resulting from the transactions; and

WHEREAS, three separate cash drawers are maintained to provide for individual accountability, requiring three separate sets of change to be funded..

WHEREAS, three cash drawers need to be established to continue guaranteeing individual accountability, and \$100 set of change is required to fund each of the three drawers.

WHEREAS, the water cash fund needs to be funded for a total of \$300.00.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison in the County of Middlesex, New Jersey that the Water Change Fund in the amount of \$300.00 is hereby set up for the Water Billing and Collections within the Water Department.

BE IT FURTHER RESOLVED, that the Director of Finance and/or the appropriate official is hereby authorized to draw a check in the amount of \$300.00 to set the Water change fund.

BE IT FURTHER RESOLVED that the Collector of Taxes be responsible for the maintenance of this Change Fund.

RESOLUTION R.224-052021

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Edison 1 North 35C, LLC By Stop & Shop Supermarket Co. for the Tax Years 2016, 2017, 2018, 2019, 2020 and 2021.

WHEREAS, Edison 1 North 35C, LLC By Stop & Shop Supermarket Co. (“Taxpayer”), the owner of property located at 1049 United States Route 1, Block 199.A, Lot 35.03 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the Tax Years 2016, 2017, 2018, 2019, 2020 and 2021 with the Tax Court of New Jersey under Docket Numbers 007257-2016, 003931-2017, 002793-2018, 004631-2019, 002793-2020 and 007171-2021.

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

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

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

WHEREAS, the original assessment for the 2018-2021 Tax Years were as follows:

	<u>2016-2020</u>
Land:	\$2,504,000.00
Improvements:	<u>\$3,296,000.00</u>
Total:	\$5,800,000.00

WHEREAS, the proposed settlement provides for an assessment of the 2016, 2017, 2018, 2019, 2020 and 2021 Tax Years as follows:

	<u>2016-2018</u>	<u>2019-2020</u>	<u>2021</u>
Land:	\$2,504,000.00	\$2,504,000.00	\$2,504,000.00
Improvements:	<u>\$3,296,000.00</u>	<u>\$2,746,000.00</u>	<u>\$2,496,000.00</u>
Total:	\$5,800,000.00	\$5,250,000.00	\$5,000,000.00

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

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

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

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to “STOP & SHOP SUPERMARKET CO.”, and forwarded to David B. Wolfe, Esq., Skoloff & Wolfe, P.C., 293 Eisenhower Parkway, Livingston, New Jersey 07039 within sixty (60) days of the date of the entry of judgment; and

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

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$29,744.00 for 2019, \$30,959.50 for 2020 and \$46,792.00 for 2021.

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

1. For the 2016, 2017, 2018, 2019, 2020 and 2021 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2016-2018</u>	<u>2019-2020</u>	<u>2021</u>
Land:	\$2,504,000.00	\$2,504,000.00	\$2,504,000.00
Improvements:	<u>\$3,296,000.00</u>	<u>\$2,746,000.00</u>	<u>\$2,496,000.00</u>
Total:	\$5,800,000.00	\$5,250,000.00	\$5,000,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein.
3. The Tax Appeal Attorney for the Township is hereby authorized to execute the Stipulation of Settlement relative to the Property for Tax Appeals filed for the tax years 2016, 2017, 2018, 2019, 2020 and 2021 under Docket Numbers 007257-2016, 003931-2017, 002793-2018, 004631-2019, 002793-2020 and 007171-2021, filed by the owner of the property located at 1049 United States Route 1, Block 199.A, Lot 35.03.
4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

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

RESOLUTION R.225-052021

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Edison Land Investment, LLC. for the Tax Years 2018, 2019, 2020 and 2021.

WHEREAS, Edison Land Investment, LLC. ("Taxpayer"), the owner of property located at 889-1011 United States Route 1, Block 198.L, Lot 37.15 (formerly known as Block 198.L, Lot 37.09 and subsequently Lot 37.13) on the Township of Edison's Tax Assessment Maps ("Property"), filed Tax Appeals for the Tax Years 2018, 2019, 2020 and 2021 with the Tax Court of New Jersey under Docket Numbers 004689-2018, 004498-2019, 003185-2020 and 002589-2021.

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

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

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

WHEREAS, the original assessment for the 2018-2021 Tax Years were as follows:

	<u>2018-2019</u>	<u>2020</u>	<u>2021</u>
Land:	\$18,176,800.00	\$16,782,400.00	\$16,717,600.00
Improvements:	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Total:	\$18,176,800.00	\$16,782,400.00	\$16,782,400.00

WHEREAS, the proposed settlement provides for an assessment of the 2018, 2019, 2020 and 2021 Tax Years as follows:

	<u>2018-2019</u>	<u>2020</u>	<u>2021</u>
Land:	\$18,176,800.00	\$16,782,400.00	\$16,717,600.00
Improvements:	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
Total:	\$18,176,800.00	\$16,782,400.00	\$14,500,000.00

WHEREAS, the 2022 total assessment shall be \$14,250,000.00;

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

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

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

WHEREAS, the parties agree the refund as a result of the settlement for the 2021 tax year shall be applied to the taxpayer's account as credit against any outstanding 2021 taxes; and

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

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$137,503.00** for 2021.

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

1. For the 2018, 2019, 2020 and 2021 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2018-2019</u>	<u>2020</u>	<u>2021</u>
Land:	\$18,176,800.00	\$16,782,400.00	\$14,500,000.00
Improvements:	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>
Total:	\$18,176,800.00	\$16,782,400.00	\$14,500,000.00

2. The 2022 total assessment shall be \$14,250,000.00.
3. Interest is waived on the refund, provided such refund is provided as specified herein.
4. The Tax Appeal Attorney for the Township is hereby authorized to execute the Stipulation of Settlement relative to the Property for Tax Appeals filed for the Tax Years 2018, 2019, 2020 and 2021 with the Tax Court of New Jersey under Docket Numbers 004689-2018, 004498-2019, 003185-2020 and 002589-2021, filed by the owner of the property located at 889-1011 United States Route 1, Block 198.L, Lot 37.15.
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

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

RESOLUTION R.226-052021

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by 399 Thornall Street, LLC for the Tax Years 2018, 2019, 2020 and 2021.

WHEREAS, 399 Thornall Street, LLC (“Taxpayer”), the owner of property located at 399 Thornall Street, Block 676, Lot 2.B4 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the Tax Years 2018, 2019, 2020 and 2021 with the Tax Court of New Jersey under Docket Numbers 006071-2018, 007255-2019, 005022-2020 and 007803-2021.

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

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

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

WHEREAS, the original assessment for the 2018-2021 Tax Years were as follows:

	<u>2018-2021</u>
Land:	\$ 2,440,000.00
Improvements:	<u>\$18,413,400.00</u>
Total:	\$20,853,400.00

WHEREAS, the proposed settlement provides for an assessment of the 2018, 2019, 2020, 2021 Tax Years as follows:

	<u>2018-2019</u>	<u>2020</u>	<u>2021</u>
Land:	\$ 2,440,000.00	\$ 2,440,000.00	\$ 2,440,000.00
Improvements:	<u>\$18,413,400.00</u>	<u>\$17,338,700.00</u>	<u>\$17,073,900.00</u>
Total:	\$20,853,400.00	\$19,778,700.00	\$19,513,900.00

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

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

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

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Zipp & Tannenbaum, LLC”, and forwarded to Peter J. Zipp, Esq., Zipp & Tannenbaum, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837 within sixty (60) days of the date of the entry of judgment; and

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

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$62,859.20 for 2020 and \$78,347.00 for 2021.

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

1. For the 2018, 2019, 2020 and 2021 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2018-2019</u>	<u>2020</u>	<u>2021</u>
Land:	\$ 2,440,000.00	\$ 2,440,000.00	\$ 2,440,000.00
Improvements:	<u>\$18,413,400.00</u>	<u>\$17,338,700.00</u>	<u>\$17,073,900.00</u>
Total:	\$20,853,400.00	\$19,778,700.00	\$19,513,900.00

2. Interest is waived on the refund, provided such refund is provided as specified herein.
3. The Tax Appeal Attorney for the Township is hereby authorized to execute the Stipulation of Settlement relative to the Property for Tax Appeals filed for the tax years 2018, 2019, 2020 and 2021 under Docket Numbers 006071-2018, 007255-2019, 005022-2020 and 007083-2021, filed by the owner of the property located at 399 Thornall Road, Block 676, Lot 2.B4.
4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

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

RESOLUTION R.227-052021

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by JSM at Talmadge, LLC for the Tax Years 2019 and 2020.

WHEREAS, JSM at Talmadge, LLC (“Taxpayer”), the owner of property located at Talmadge and New Durham Road, Block 50.A, Lot 3 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the Tax Years 2019 and 2020 with the Tax Court of New Jersey under Docket Numbers 007544-2019 and 002710-2020.

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

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

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

WHEREAS, the original assessment for the 2019 and 2020 Tax Years were as follows:

	<u>2019</u>	<u>2020</u>
Land:	\$1,158,300.00	\$1,158,300.00
Improvements:	<u>\$2,055,600.00</u>	<u>\$2,055,600.00</u>
Total:	\$3,213,900.00	\$3,213,900.00

WHEREAS, the proposed settlement provides for an assessment of the 2019 and 2020 Tax Years as follows:

	<u>2019</u>	<u>2020</u>
Land:	\$1,158,300.00	\$1,158,300.00
Improvements:	<u>\$2,055,600.00</u>	<u>\$2,055,600.00</u>
Total:	\$3,213,900.00	\$3,213,900.00

WHEREAS, the proposed settlement provides for an assessment of the 2021 Tax Year as follows:

	<u>2021</u>
Land:	\$1,158,300.00
Improvements:	<u>\$2,055,600.00</u>
Total:	\$2,870,700.00

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

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

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

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Zipp & Tannenbaum, LLC ” and forwarded to Peter J. Zipp, Esq., 280 Raritan Center Parkway, Edison, New Jersey 08837 within sixty (60) days of the date of the entry of judgment; and

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

WHEREAS, pursuant to the settlement approved herein, the Taxpayers are entitled to a refund in the amount of **\$20,066.90** for 2021.

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

2. For the 2020 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2019</u>	<u>2020</u>	<u>2021</u>
Land:	\$1,158,300.00	\$1,158,300.00	\$1,158,300.00
Improvements:	<u>\$2,055,600.00</u>	<u>\$2,055,600.00</u>	<u>\$2,055,600.00</u>
Total:	\$3,213,900.00	\$3,213,900.00	\$2,870,700.00

2. Interest is waived on the refund, provided such refund is provided as specified herein.
3. The Tax Appeal Attorney for the Township is hereby authorized to execute the Stipulations of Settlement relative to the Property for Tax Appeals filed for the tax years 2019 and 2020 under Docket Numbers 007544-2019 and 002710-2020, filed by the owner of the property located at Talmage and New Durham Road, Block 50.A, Lot 3
4. The Freeze Act shall apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

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

RESOLUTION R.228-052021

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW GOVERNMENT LLC FOR
THE REPLACEMENT OF SEVEN NETWORK SWITCHES FOR VARIOUS TOWNSHIP OFFICES**

WHEREAS, there is the need to replace seven network switches for various township offices; and

WHEREAS, CDW-GOVERNMENT LLC, 230 North Milwaukee Ave., Vernon Hills, IL 60061, has been awarded State Contract Number 87722 under M-7000-Data Communications Equipment; 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 total amount of this contract shall not exceed \$16,788.00; and

WHEREAS, funds in the amount of \$16,788.000 have been certified to be available in the Acquisition of Computer Equipment Capital Account, Number C-04-16-1948-106-000; 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. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$16,788.00 and any other necessary documents, with CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, 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 Contracts, No. 87722 under M-7000.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$16,788.00** are available for the above in Account No. **C-04-16-1948-106-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.229-052021

EXPLANATION: This resolution enables the Township of Edison to develop and submit a viable application to the Middlesex County Department of Planning Division of Solid Waste Management 2021 Municipal Recycling Enhancement Grant Program for a maximum amount of \$7,500.00 in awarded grant funds to install security cameras to prevent illegal dumping and purchase indoor recycling bins for municipal buildings or schools throughout Edison.

WHEREAS, the Township of Edison desires to apply for and obtain a grant from the Middlesex County Department of Planning Division of Solid Waste Management 2021 Municipal Recycling Enhancement Grant Program to provide a maximum amount of \$7,500.00 in awarded grant funds to install security cameras to prevent illegal dumping and purchase indoor recycling bins for municipal buildings or schools; and

WHEREAS, the cameras and indoor recycling bins purchased and installed with the support of 2021 MCDSWM MREG grant funds shall prevent illegal dumping and/or provide indoor recycling bins for municipal buildings or schools; and

WHEREAS, the Township of Edison Municipal Recycling Centers assist the Edison Department of Public Works and Edison Department of Health and Human Services with their efforts to locally collect recyclable materials throughout the community that would otherwise enter the general waste stream, landfills and waterways of Edison and Middlesex County; and

WHEREAS, upon receipt of said grant award, the Township of Edison agrees to encumber any municipal funds needed in addition to those awarded by the Middlesex County Department of Planning Division of Solid Waste Management 2021 Municipal Recycling Enhancement Grant Program per the stated terms and conditions of the grant award agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby authorize the development and submission of a viable application for a maximum of \$7,500 of grant funds, according to the regulations and guidelines of the Middlesex County Department of Planning Division of Solid Waste Management 2021 Municipal Recycling Enhancement Grant Program, at a regularly-scheduled, combined Work Session/Public Meeting.

RESOLUTION R.230-052021

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 20-30-04: FY 2019 NJDOT LOCAL FREIGHT IMPACT FUND RARITAN CENTER PARKWAY; and authorizes FINAL CONTRACT PAYMENT including final retainage totaling in the amount of \$18,727.36 and close-out of the construction project.

WHEREAS, the Township of Edison advertised for a construction contract for Public Bid: 20-30-04: FY 2019 NJDOT LOCAL FREIGHT IMPACT FUND RARITAN CENTER PARKWAY, Township of Edison, Middlesex County, New Jersey; and

WHEREAS; P & A Construction, Inc., P.O. Box 28, Colonia, NJ 07067 was awarded a construction contract through resolution R.432-082020 in a contract amount not to exceed \$186,848.42 for the project; and

WHEREAS; the Township Engineer has reviewed the project and certifies the construction work has been completed, a two-year (2-year) maintenance bond, in an amount equal to 100% of the final as-built construction cost of \$161,893.68 for the project has been received.

WHEREAS; the Township Engineer recommends acceptance of the project, release of the performance bond and final payment including retainage be made to P & A Construction, Inc., in an amount of \$18,727.63 for a total construction contract as-built cost of \$161,893.68.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the project under Public Bid No. 20-30-04: FY 2019 NJDOT LOCAL FREIGHT IMPACT FUND RARITAN CENTER PARKWAY, is deemed accepted by the Township of Edison, New Jersey, the project subject to the provisions of the maintenance bond, and that the performance bond may be released and that final payment, including retainage, shall be made to P&A Construction Inc., in the amount not to exceed \$18,727.36 for a total construction contract as built cost of \$161,893.63 and any unused funds be unencumbered.

RESOLUTION R.231-082021

WHEREAS, on November 1, 2017 Rakesh Jain posted Tree Maintenance Bond fees in the amount of \$900.00, with Check No.1958 on deposit with the Township of Edison in account #TP171031RA to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 6 Farmhaven Avenue., Block 992, Lot 3, Edison, NJ, 08820;

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$900.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$900.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$900.00, plus any accrued interest as applicable, on deposit in Account #TP171031RA to Rakesh Jain, 6 Farmhaven Avenue, Edison, NJ 08820, for the referenced property at 6 Farmhaven Avenue, Edison, NJ, 08820, Block 992, Lot 3

RESOLUTION R.232-052021

WHEREAS, on April 4, 2009, European Homes, posted Tree Maintenance Bond fees in the amount of \$450.00, with Check No.000 on deposit with the Township of Edison in account #7760237695 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 63 Terry Avenue, Block 643.V, Lot 1.03 Edison, NJ, 08820;

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$450.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$450.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$450.00, plus any accrued interest as applicable, on deposit in Account #7760237695 to European Homes, LLC, 448 Packer Place, Perth Amboy NJ 08861, for the referenced property at 63 Terry Avenue, Edison NJ, 08820, Block 643.V, Lot 1.03

RESOLUTION R.233-052021

WHEREAS, on February 15, 2019, Spectrum Consultant LLC, posted Tree Maintenance Bond fees in the amount of \$2,100.00, with Check No.1061 on deposit with the Township of Edison in account #TP190213SP to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 6 Jego Court, Block 425, Lot 13.10 Edison, NJ, 08820;

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$2,100.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$2,100.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$2,100.00, plus any accrued interest as applicable, on deposit in Account #TP190213SP to Spectrum Consultant LLC, 6 Jego Court, Edison NJ 08820, for the referenced property at 6 Jego Court, Edison NJ, 08820, Block 425, Lot 13.10

RESOLUTION R.234-052021

WHEREAS, on September 4, 2018, Manish Nagpurkar posted Tree Maintenance Bond fees in the amount of \$2,475.00, with Check No.111 on deposit with the Township of Edison in account #TP180904MA to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 1 Herron Road, Block 1009, Lot 1 Edison, NJ, 08820;

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$2,475.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$2,475.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$2,475.00, plus any accrued interest as applicable, on deposit in Account #TP180904MA to Manish Nagpurkar, 1 Herron Road, Edison NJ 08820, for the referenced property at 1 Herron Road, Edison NJ, 08820, Block 1009, Lot 1

RESOLUTION R.235-052021

EXPLANATION: Resolution Refunding Engineering Inspection Fees to Dynamic Engineering Consultants, PC, for Mc Donald's (1511 Route 1, Edison, NJ 08817), Account # EI200225DY.

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject , McDonald's (1511 Route 1, Edison, NJ 08817) located in Block: 691.B Lot: 6H & 6R.

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 \$1,904.50, which represents the amount due and owing the applicant, be returned to Dynamic Engineering Consultants, PC, 1904 Main Street, Lake Como, NJ 07719, Account# EI200225DY.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$ 1,904.50 plus accrued interest, if applicable, be refunded to the applicant, Dynamic Engineering Consultants, PC Account # EI200225DY.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of **\$1,904.50** in account # **EI200225DY** to the applicant, Dynamic Engineering Consultants, PC having an address of 1904 Main Street, Lake Como, NJ 07719.

RESOLUTION R.236-052021

**A RESOLUTION AUTHORIZING AN APPLICATION FOR GRANT FUNDING BY THE
NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
FOR COSTS ASSOCIATED WITH LANDFILL CLOSURE DESIGN AND PERMITTING
REQUIREMENTS TO CLOSE THE EDISON LANDFILL**

WHEREAS, the State of New Jersey Department of Community Affairs (the “DCA”) has grant funds available to municipalities for various purposes; and

WHEREAS, the Township of Edison (the “Township”) wishes to further the landfill closure design and to obtain the outstanding permits required to close the Edison Landfill in accordance with New Jersey Department of Environmental Protection (the “NJDEP”) requirements; and

WHEREAS, the Township wishes to prepare and submit an application for such funding in the amount of \$300,000.00; and

WHEREAS, the Township is committed to closing the Edison Landfill and wishes to proceed with the aforementioned application; and

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

1. The Township authorizes preparation and submission of an application to DCA for grant funding in the amount of \$300,000.00, as set forth herein.
2. The Township recognizes and accepts that the DCA may offer a lesser or greater amount and therefore, upon receipt of a grant agreement from the DCA, does further authorize the Mayor to execute any such agreement.
3. In the event that funding is approved pursuant to a grant issued in favor of the Township, the Township shall be authorized and directed to expend the grant funds to further the closure of the Edison Landfill in accordance with a grant agreement to be approved by the Township and the DCA.

ADOPTED:

I hereby certify that the above is true and exact copy of the Resolution adopted by the Municipal Council of the Township of Edison at their Regular Meeting held on _____.

Municipal Clerk

RESOLUTION R.237-052021

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO STORR TRACTOR COMPANY
FOR THE FURNISHING OF PARTS AND REPAIRS FOR LAWN AND GROUNDS EQUIPMENT FOR
THE TOWNSHIP OF EDISON**

WHEREAS, there is a need for parts and repairs for lawn and grounds equipment for the Township of Edison; and

WHEREAS, STORR TRACTOR COMPANY, 3191 US Highway 22, Branchburg NJ 08876 has been awarded State Contract Number A43038 under T-2187 PARTS AND REPAIRS FOR LAWN AND GROUNDS EQUIPMENT; 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 total amount of this contract, not to exceed \$20,000.00, 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. 5:30-5.5b); 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 \$20,000.00 and any other necessary documents, with STORR TRACTOR COMPANY, 3191 US Highway 22, Branchburg NJ 08876 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. A43038 under T-2187.

RESOLUTION R.238-052021

RESOLUTION AWARDING CONTRACT TO HIONIS GREENHOUSES INC. FOR THE SUPPLY AND DELIVERY OF VARIOUS FLOWERS AND VINES FOR EDISON TOWNSHIP

WHEREAS, bids were received by the Township of Edison on May 4, 2021 for Public Bid No. 21-04-15 Supply and Delivery of Various Flowers and Vines for Edison Township; and

WHEREAS, HIONIS GREENHOUSES INC., 4 Coddington Road, Whitehouse Station, NJ 08889, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of this purchase shall not exceed \$45,525.00; and

WHEREAS, funds in the amount of \$45,525.00 have been certified to be available in the Parks and Trees, Other Contractual Items account, number 1-01-28-0375-000-029 subject to and contingent upon the availability of sufficient funds in the 2021 temporary and/or permanent budget; 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 HIONIS GREENHOUSES INC., 4 Coddington Road, Whitehouse Station, NJ 08889, for Supply and Delivery of Various Flowers and Vines for Edison Township 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 \$45,525.00 and any other necessary documents, with HIONIS GREENHOUSES INC., as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$45,525.00** are available in Account No. **1-01-28-0375-000-029** 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.239-052021

**RESOLUTION AWARDING CONTRACT TO ONSITE LANDSCAPE MANAGEMENT FOR THE
PLANTING OF VARIOUS TOWNSHIP SUPPLIED FLOWERS AND VINES FOR EDISON TOWNSHIP**

WHEREAS, bids were received by the Township of Edison on May 4, 2021 for Public Bid No. 21-04-16 Planting of Various Township Supplied Flowers and Vines for Edison Township; and

WHEREAS, ONSITE LANDSCAPE MANAGEMENT, PO Box 294, Perrineville, NJ 08535, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of this purchase shall not exceed \$19,875.00; and

WHEREAS, funds in the amount of \$19,875.00 have been certified to be available in the Parks and Trees, Other Contractual Items account, number 1-01-28-0375-000-029 subject to and contingent upon the availability of sufficient funds in the 2021 temporary and/or permanent budget; 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 ONSITE LANDSCAPE MANAGEMENT, PO Box 294, Perrineville, NJ 08535, for Planting of Various Township Supplied Flowers and Vines for Edison Township 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 \$19,875.00 and any other necessary documents, with ONSITE LANDSCAPE MANAGEMENT, as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$19,875.00** are available in Account No. **1-01-28-0375-000-029** 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.240-052021

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO GEORGE KOUSTAS PAINTING
& CONSTRUCTION LLC FOR THE EDISON RESTROOM RENOVATIONS FOR THE DIVISION OF
POLICE**

WHEREAS, bids were received by the Township of Edison on April 13, 2021 for Public Bid No. 21-03-30 Edison Restroom Renovations; and

WHEREAS, GEORGE KOUSTAS PAINTING & CONSTRUCTION LLC, 70 Beechwood Ave, West Long Branch, NJ 07764, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$216,000.00; and

WHEREAS, funds in the amount of \$216,000.00 have been certified to be available in the Various Improv. & Repairs to Buildings Capital Account No. C-04-16-1948-105-000; and

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

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

1. All bids have been reviewed, and the bid submitted by GEORGE KOUSTAS PAINTING & CONSTRUCTION LLC, 70 Beechwood Ave, West Long Branch, NJ 07764, for Edison Restroom Renovations 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 \$216,000.00 and any other necessary documents, with GEORGE KOUSTAS PAINTING & CONSTRUCTION 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 **\$216,000.00** are available in Account No. **C-04-16-1948-105-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

Explanation: Federal Bulletproof Vest Partnership (BVP) through the Office of Justice Programs- Bureau of Justice Assistance to allocate funds to local and state law enforcement agencies for the purchase of body vests as part of a matching funds grant not to exceed \$20,000.00.

RESOLUTION R.241-052021

**RESOLUTION APPROVING PARTICIPATION IN FY 2021
FEDERAL BULLETPROOF VEST PARTNERSHIP (BVP)**

WHEREAS, the Federal Bulletproof Vest Partnership (BVP) is designed to provide matching funds to purchase valuable lifesaving equipment to local law enforcement officers; and

WHEREAS, this grant funding enables local law enforcement agencies to cover up to fifty (50) percent of the cost of each vest purchased or replaced for sworn officers and volunteer officers of the Edison Police Department; and

WHEREAS, this vest replacement grant program demonstrates the Edison Police Department's commitment to helping ensure that law enforcement officers have protective equipment they can rely on to keep our community safe;

THEREFORE, BE IT RESOLVED that the Township of Edison wishes to participate to in the Federal Bulletproof Vest Partnership through the Office of Justice Programs-Bureau of Justice Assistance in a matching funds grant not to exceed \$20,000.00.