

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Wednesday, September 8, 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. **2021 CALENDAR YEAR MUNICIPAL BUDGET AND SOLID WASTE BUDGET**
 - a. Amendment to Municipal Budget
 - b. Final Adoption of Municipal Budget
 - c. Final Adoption of Solid Waste Budget
5. **REPORTS FROM ALL COUNCIL COMMITTEES:**
6. **POINTS OF LIGHT**
7. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution awarding contract/Purchase Order for the Maintenance Purchase of Security Cameras and/or Avaya Equipment for the Township (not to exceed \$15,000.00) (Resolution R.451-092021)
 - b. Resolution awarding Contract/Purchase Order for the Maintenance/Purchase of Network Cabling for the Township (not to exceed \$10,000.00) (Resolution R.452-092021)
8. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through September 2, 2021 (Resolution R.445-092021)
 - b. Resolution authorizing refund in the amount of \$45,792.86 for redemption of tax sale certificates (Resolution R.446-092021)
 - c. Resolution authorizing refund for Tax Overpayments, totaling \$25,328.29 (Resolution R.447-092021)
 - d. Resolution authorizing refund of Water Overpayments, totaling \$2,000.00 (Resolution R.448-092021)
 - e. Resolution authorizing cancelation and refund of Taxes for Exempted Disabled Veteran (Resolution R.449-092021)
 - f. Resolution authorizing overpayment refund caused by Successful Tax Court Appeal (Resolution R.450-092021)
 - g. Resolution receiving Correction Action Plan for the Township of Edison Audit for the Year ending on December 31, 2020 (Resolution R.462-092021)

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

- a. The Resolution authorizes the Mayor to execute the Middlesex County Shared Radio Networking Agreement with the County of Middlesex, a County of the State of New Jersey with respect to the ability to use the MCRN for purposes that have been approved by the MCRN administrator. (Resolution R.472-092021)
- b. The Resolution authorizes the Mayor to execute a Second Amendment to the Site Access Agreement with Nouryon Chemicals LLC and Sovereign Consulting, Inc. with respect to the remediation work to be performed at Block 366.B, Lot 17.A (more commonly known as 400 Meadow Road – Boat Basin), as shown on the Township of Edison tax maps.(Resolution R.473-092021)
- c. Resolution referring a zoning ordinance amendment to the Township Planning Board prior to the Municipal Council hearing on same, pursuant to Municipal Land Use Law, *N.J.S.A. 40:55D-1, et seq.*(Resolution R.474-092021)
- d. Ordinance amending the Township Code Chapter 37, “Zoning” Schedule A, “Schedule of Area, Yard and Building requirements”, to increase the minimum lot requirements for the G-C Golf course – Natural Preservation district. (Ordinance O.2118-2021)

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

- a. Resolution provides for refund of the Construction Permit Fee (Resolution R.453-092021)
- b. Resolution provides for the refund of unused portion of Developers Escrow Fees posted for the Planning Board Application concept. (Resolution R.454-092021)
- c. Resolution provides for refund of a Duplicate Payment (Resolution R.455-092021)

11. **FROM THE DEPARTEMENT OF PUBLIC WORKS.**

- a. Ordinance authorizing a lease for storage of Township Vehicles and Equipment (O.2117-2021)
- b. Resolution to release street opening Escrow (Resolution R.456-092021)
- c. Resolution awarding Contract/Purchase Order for Tree Trimming, Pruning and Removal Services for the Township. (not to exceed \$80,000.00) (Resolution R.457-092021)
- d. Resolution authorizing the purchase of Various Grounds Equipment with options from Storr Tractor Company through the Education Services Commission of New Jersey for the Division of Parks. (\$200,411.76) (Resolution R.458-092021)
- e. Resolution rejecting Bids for Custodial Supplies (Resolution R.459-092021)
- f. Resolution awarding Contract/Purchase Order to WB Mason Co., Inc. for Custodial Supplies and Equipment for the Township (not to exceed \$75,000.00) (Resolution R.460-092021)

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

- a. Resolution authorizing the Township of Edison to purchase snacks through an Interlocal Services Agreement with the Edison Board of Education (not to exceed \$180,000.00) (Resolution R.463-092021)
 - b. Resolutions authorizing reimbursement for the ABC Program (Resolutions R.464-092021 through R.468-092021)
 - c. Resolution authorizing a reimbursement for the YAP Program (Resolution R.469-092021)
 - d. Resolutions authorizing a reimbursement for the rental of Papaianni Park (Resolution R.470-092021 and R.471-092021)
13. **FROM THE DEPARTMENT OF WATER AND SEWER:**
- a. Resolution awarding an Emergency Contract/Purchase Order to Raritan supply for replacement of a 20" Valve (\$14,007.50) (Resolution R.461-092021)
14. **FROM THE CHIEF OF FIRE:**
- a. Approval of Volunteer Fire Fighters
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 Ship-Freeman**
- a. None

17. **COUNCIL PRESIDENT'S REMARKS**

18. **2021 CALENDAR YEAR MUNICIPAL BUDGET AND SOLID WASTE BUDGET**

- a. Final Adoption of Amendment
- b. Final Adoption of Municipal Budget
- c. Final Adoption of Solid Waste Budget

19. **APPROVAL OF VOLUNTEER FIREFIGHTER**

Oak Tree Volunteer Fire Company

Ryan J. Brown

Raritan Engine Company #1

Nicholas J. Chicarilla

Raritan Engine Company #2

Robert J. Kearstan

Michael D. Marcinczyk

20. **NEW BUSINESS:**

PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR WEDNESDAY, SEPTEMBER 22, 2021.

O.2117-2021 ORDINANCE AUTHORIZING A LEASE FOR STORAGE OF TOWNSHIP VEHICLES AND EQUIPMENT

O.2118-2021 ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 37, "ZONING" SCHEDULE A, "SCHEDULE OF AREA, YARD AND BUILDING REQUIREMENTS", TO INCREASE THE MINIMUM LOT REQUIREMENTS FOR THE G-C GOLF COURSE – NATURAL PRESERVATION DISTRICT.

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.445-092021 Resolution approving disbursements for the period ending September 2, 2021.
- R.446-092021 Resolution authorizing refund in the amount of \$45,792.86 for redemption of tax sale certificates.
- R.447-092021 Resolution authorizing refund of tax overpayments, totaling \$25,328.29.
- R.448-092021 Resolution authorizing refund of Water Overpayments, totaling \$2,000.00.
- R.449-092021 Resolution authorizing cancelation and refund of Taxes for Exempted Disabled Veteran.
- R.450-092021 Resolution authorizing overpayment refund caused by Successful Tax Court Appeal.
- R.451-092021 Resolution awarding contract/Purchase Order to Johnston Communications for the Maintenance Purchase of Security Cameras and/or Avaya Equipment for the Township in an amount not to exceed \$15,000.00.
- R.452-092021 Resolution awarding contract/Purchase Order to Johnston Communications for the Maintenance/Purchase of Network Cabling for the Township in an amount not to exceed \$10,000.00.
- R.453-092021 Resolution provides for refund of the Construction Permit Fee to Sunny Mac, LLC for Permit #2020-0379 in the amount of \$517.60.
- R.454-092021 Resolution provides for the refund of unused portion of Developers Escrow Fees posted by Freeman Services, Co., Inc. for the Planning Board Application concept for Blk. 198L, Lot 40.
- R.455-092021 Resolution provides for refund of a Duplicate Payment to Royal Builders, in the amount of \$500.00.
- R.456-092021 Resolution to release street opening Escrow for Permit #DEV-0102, Block 55, Lot 5, aka Sutton Place & Talmadge Road in the amount of \$200.00.
- R.457-092021. Resolution awarding Contract/Purchase Order to Rich Tree Service for Tree Trimming, Pruning and Removal Services for the Township in an amount not to exceed \$80,000.00.
- R.458-092021 Resolution authorizing the purchase of Various Grounds Equipment with options from Storr Tractor Company through the Education Services Commission of New Jersey for the Division of Parks in the amount of \$200,411.76.
- R.459-092021 Resolution rejecting Bids for Custodial Supplies.
- R.460-092021 Resolution awarding Contract/Purchase Order to WB Mason Co., Inc. for Custodial Supplies and Equipment for the Township in an amount not to exceed \$75,000.00.
- R.461-092021 Resolution awarding an Emergency Contract/Purchase Order to Raritan supply for replacement of a 20" Valve in the amount of \$14,007.50.
- R.462-092021 Resolution receiving Correction Action Plan for the Township of Edison Audit for the Year ending on December 31, 2020.
- R.463-092021 Resolution authorizing the Township of Edison to purchase snacks through an Interlocal Services Agreement with the Edison Board of Education in an amount not to exceed \$180,000.00.

- R.464-092021 Resolution authorizing a reimbursement to Veronica Abreau for the ABC Program in the amount of \$200.00.
- R.465-092021 Resolution authorizing a reimbursement to James George for the ABC Program in the amount of \$140.00.
- R.466-092021 Resolution authorizing a reimbursement to Matthew Sardone for the ABC Program in the amount of \$340.00.
- R.467-092021 Resolution authorizing a reimbursement to Kirti Mehta for the ABC Program in the amount of \$340.00.
- R.468-092021 Resolution authorizing a reimbursement to Ravi Kumar Kottakota for the ABC Program in the amount of \$300.00.
- R.469-092021 Resolution authorizing a reimbursement to Priya Godbole for YAP Program in the amount of \$400.00.
- R.470-092021 Resolution authorizing a reimbursement to Megan Zadlock for the Rental of Papaiani Park in the amount of \$500.00.
- R.471-092021 Resolution authorizing a reimbursement to Kiwanis Club of Edison for the Rental of Papaiani Park in the amount of \$250.00.
- R.472-092021 Resolution authorizes the Mayor to execute the Middlesex County Shared Radio Networking Agreement with the County of Middlesex, a County of the State of New Jersey with respect to the ability to use the MCRN for purposes that have been approved by the MCRN administrator.
- R.473-092021 Resolution authorizes the Mayor to execute a Second Amendment to the Site Access Agreement with Nouryon Chemicals LLC and Sovereign Consulting, Inc. with respect to the remediation work to be performed at Block 366.B, Lot 17.A (more commonly known as 400 Meadow Road – Boat Basin), as shown on the Township of Edison tax maps.
- R.474-092021 Resolution referring a zoning ordinance amendment to the Township Planning Board prior to the Municipal Council hearing on same, pursuant to Municipal Land Use Law, *N.J.S.A. 40:55D-1, et seq.*

23. **ORAL PETITIONS AND REMARKS**

24. **ADJOURNMENT**

ORDINANCE O.2117-2021

EXPLANATION: An Ordinance authorizing a lease for storage of Township vehicles and equipment

**ORDINANCE OF THE TOWNSHIP OF EDISON
AUTHORIZING A LEASE OF CERTAIN PREMISES
LOCATED AT 212 DURHAM AVENUE, IN THE BOROUGH OF
METUCHEN, NEW JERSEY, FOR STORAGE OF
MUNICIPAL VEHICLES AND EQUIPMENT, AND AUTHORIZING THE EXECUTION
OF A LEASE AGREEMENT ASSOCIATED THEREWITH**

WHEREAS, Metuchen Acquisition Realty, LLC is the owner of certain premises located at 212 Durham Avenue, in the Borough of Metuchen (the “Premises”); and

WHEREAS, the Premises consists of approximately 9,975 square feet of space; and

WHEREAS, the Township of Edison (the “Township”) has an immediate, emergent need of temporary storage for its vehicles and equipment during the winter season, and wishes to acquire an interest in the Premises by way of a lease agreement with Metuchen Acquisition Realty, LLC, effective on or about December 1, 2021 in order to provide for storage for such vehicles and equipment; and

WHEREAS, the Lease Agreement shall be on a monthly basis, not to exceed four (4) months, at a monthly rental amount of \$8,911.00 gross for the Premises, which includes all utilities; and

WHEREAS, the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., and specifically, N.J.S.A. 40A:12-5(a)(1), authorizes a municipality, by ordinance, to provide for the acquisition of any real property by purchase or lease; and

WHEREAS, consistent with the foregoing, the Mayor and Township Council wish to authorize the execution of a Lease Agreement, effective on or about December 1, 2021, with Metuchen Acquisition Realty, LLC, on behalf of the Township, for the public purposes set forth above, in a form satisfactory to the Township Attorney.

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

1. That the Mayor is hereby authorized and directed to execute, and the Township Clerk to attest, a Lease Agreement between the Township of Edison and Metuchen Acquisition Realty, LLC regarding the Premises, so that the Township may rent the Premises for the public purposes referenced above. Said Lease Agreement shall be consistent with the representations referenced above, and shall be in a form satisfactory to the Township Attorney.
2. The Lease Agreement shall be effective on or about December 1, 2021.
3. That this Ordinance shall take effect in accordance with all applicable laws.

ORDINANCE O.2118-2021

EXPLANATION: An Ordinance amending the Township Code Chapter 37, “Zoning,” Schedule A, “Schedule of Area, Yard and Building Requirements,” to increase the minimum lot requirements for the G-C Golf Course – Natural Preservation District.

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

WHEREAS, the Township Code of General Ordinances (the “**Code**”) provides rules, regulations and standards to conserve the value of property and encourage the most appropriate use of land in the Township, pursuant to Chapter 37 of the Code; and

WHEREAS, the Township desires to amend Chapter 37, Schedule A of the Code, entitled “Schedule of Area, Yard and Building Requirements,” to increase the minimum lot requirements for the G-C Golf Course – Natural Preservation District, as referenced in Chapter 37-46.5 therein; and

WHEREAS, prior to the Municipal Council hearing on the adoption of this Ordinance, it shall be referred to the Township Planning Board, as required by *N.J.S.A. 40:55D-64* and *N.J.S.A. 40:55D-26* of the Municipal Land Use Law (the “**MLUL**”); and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) has determined to amend Subchapter 37-30.2 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

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

Schedule A Schedule of Area, Yard and Building Requirements Attached as Exhibit A

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby amends Chapter 37, Schedule A, “Schedule of Area, Yard and Building Requirements,” as set forth herein, and more specifically, attached as Exhibit A hereto.
3. Upon introduction and prior to the Municipal Council hearing on adoption, the Township Clerk is hereby directed to provide a copy of the within Ordinance to the Township Planning Board for review in accordance with the MLUL.
4. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapter 37 of the Code shall remain unchanged and have full force and legal effect.
5. 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.
6. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

7. 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.445-092021

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING SEPTEMBER 2, 2021.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, September 2, 2021.

FUND	AMOUNT
Current	\$13,732,006.54
Affordable Housing	106,879.23
Capital	112,062.50
Cash Performance	0.00
CDBG	8,385.97
Developers Escrow	69,001.84
Dog (Animal Control)	17,556.03
Federal Forfeited	0.00
Grant Funds	1,960.00
Law Enforcement	32,377.40
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	27,725.98
Sanitation Fund	66,890.59
Self Insurance	0.00
Sewer Utility	117,164.10
Tax Sale Redemption	98,387.19
Tree Fund	0.00
Tree Planting	0.00
Trust	1,235,104.22
Edison Water Utility	61,622.42
Edison Landfill Closure Trust	0.00
TOTAL	\$15,687,124.01

/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.446-092021

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 **\$45,792.86**.

RESOLUTION R.447-092021

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 **\$25,328.29**.

RESOLUTION R.448-092021

Authorizing refund for water 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 water utility 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 **\$2,000.00**.

RESOLUTION R.449-092021

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 **\$5,292.70**.

RESOLUTION R.450-092021

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 **\$103,870.19**, 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 **\$ 103,870.19**.
 - 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.451-092021

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO JOHNSTON COMMUNICATIONS
FOR THE MAINTENANCE/PURCHASE OF SECURITY CAMERAS AND/OR AVAYA EQUIPMENT
FOR THE TOWNSHIP OF EDISON**

WHEREAS, there is a need for the maintenance/purchase of security cameras and/or Avaya Equipment for the Township of Edison; and

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a cooperative pricing system and to enter into cooperative pricing agreements for its administration; and

WHEREAS, the Union County Cooperative Pricing System hereinafter referred to as the “Lead Agency” has offered voluntary participation in a cooperative pricing system for the purchase of goods and services; and

WHEREAS, JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, P.O. Box 390, Kearny, NJ 07032, has been awarded Bid No. UCCP 24-2021 through State Coop #8UCCP, under Telephone/Associated Services Systems – Equipment, Installation, Maintenance Services; and

WHEREAS, the total amount of this Contract/Purchase Order(s), in the amount not to exceed \$15,000.00 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) in the amount not to exceed \$15,000.00 and any other necessary documents, with JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, P.O. Box 390, Kearny, NJ 07032 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-11 et seq. of the Local Public Contracts Law, Bid No. UCCP 24-2021 through State Coop #8UCCP, under Telephone/Associated Services Systems – Equipment, Installation, Maintenance Services.

RESOLUTION R.452-092021

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO JOHNSTON COMMUNICATIONS
FOR THE MAINTENANCE/PURCHASE OF NETWORK CABLING FOR THE TOWNSHIP OF EDISON**

WHEREAS, there is a need for the maintenance/purchase of network cabling for the Township of Edison;
and

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a cooperative pricing system and to enter into cooperative pricing agreements for its administration; and

WHEREAS, the Union County Cooperative Pricing System hereinafter referred to as the "Lead Agency" has offered voluntary participation in a cooperative pricing system for the purchase of goods and services; and

WHEREAS, JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, P.O. Box 390, Kearny, NJ 07032, has been awarded Bid No. UCCP 23-2021 through State Coop #8UCCP, under Electronic Network Equipment, Security and Cabling; and

WHEREAS, the total amount of this Contract/Purchase Order(s), in the amount not to exceed \$10,000.00 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) in the amount not to exceed \$10,000.00 and any other necessary documents, with JOHNSTON GP, INC. /JOHNSTON COMMUNICATIONS, P.O. Box 390, Kearny, NJ 07032 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-11 et seq. of the Local Public Contracts Law, Bid No. UCCP 23-2021 through State Coop #8UCCP, under Electronic Network Equipment, Security and Cabling.

RESOLUTION R.453- 092021

EXPLANATION: This resolution provides for refund of the construction permit fee, less the DCA fee & Review fee, posted for a residential solar application for SunnyMac LLC, 413 8th Ave Wilmington, DE 19805-4745.

WHEREAS, on February 6th, 2020, a Construction Permit was issued for a permit at 93 Heman Street, Edison, NJ 08837, check #1265 in the amount of \$699.00 by SunnyMac, was posted, for a solar permit

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was never done and the permit was cancelled by home owner and Contractor SunnyMac LLC, is asking for a refund of permit cost in the amount of \$699.00 less DCA fee of \$52.00, less 20 percent of review fee \$129.40, the total refund in the amount of \$517.60 is the total refund for SunnyMac LLC, 413 8th Ave, Wilmington, DE 19805-4745

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2020-0379, in the amount of \$517.40 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$517.40 on construction permit 2020-0379 to SunnyMac, LLC, 413 8th Ave, Wilmington, DE 19805-4745 be refunded to contractor SunnyMac, LLC
not to exceed \$517.60

RESOLUTION R.454-092021

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Freedman Service Co., Inc. for the Planning Board Application Concept.

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by Freedman Service Co., Inc. for a project located at NJ Food Court, Vineyard Road, in Block 198L, Lot 40 and Application Concept and

WHEREAS: the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance:
and

WHEREAS; ON June 26, 2017, Freedman Service Co., Inc., posted fees on deposit with the Township of Edison in the account # DE1706621FR for Developers Escrow Fees; and

WHEREAS; the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

WHEREAS; it is now in order that the sum of \$897.50, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Freedman Service Co., Inc.; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$897.50 plus accrued interest, if applicable be refunded to Freedman Service Co., Inc., 4115 US Route 1, Edison, NJ 08817.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$897.50, plus accrued interest, if applicable, in account # DE1706621FR to the applicant.

RESOLUTION R.455-092021

EXPLANATION: This resolution provides for refund of a Duplicate Payment

WHEREAS, on June 6, 2020 a Site Improvement application was filled out and check #1342, posted in the total amount of \$500.00 by the Contractor Royal Builders, 10 Skytop Road , Edison, 08820

WHEREAS, the application was submitted and then was discovered it was paid for twice. The check was already put through the normal deposit system and was deposited in the bank the next morning.

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on the site improvement permit application, in the amount of \$500.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$500.00 posted by Royal Builders LLC.,10 Skytop Road, Edison, NJ 08820 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 \$500.00 from the Refund of Revenue Fund to the Contractor, Royal Builders LLC. Edison, NJ 08820.

RESOLUTION R.456-092021

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

WHEREAS, notification has been received stating that all work has been cancelled and this proposed project from 2019 was called-off.; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000356, to the following:

Permit Number: DEV- 0102

Opening Location: SUTTON PL & TALMADGE RD

Block/Lot: 55/5

Applicant's Name & Address:

**EWMA, LLC
100 MISTY LN,
PARSIPPANY, NJ 07054**

Initial Deposit Date: 05/30/2019

Deposit Amount: \$ 200.00

Paid by & refunded to:

**EWMA, LLC
100 MISTY LN, P.O.BOX 5430
PARSIPPANY, NJ 07054
ATTN – ROBERT DENBLEYKER**

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

RESOLUTION R.457-092021

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO RICH TREE SERVICE FOR
TREE TRIMMING, PRUNING, & REMOVAL SERVICES FOR THE TOWNSHIP OF EDISON**

WHEREAS, there is a need for tree trimming, pruning, and removal services for the Township of Edison;
and

WHEREAS, RICH TREE SERVICE, 325 Bergen St., South Plainfield, NJ 07080 has been awarded State Contract Number 18-DPP-00645 under T0465/Tree Trimming, Pruning, and Removal Services; 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 authorized amount of the contract/purchase order(s), in an amount not to exceed \$80,000.00, and cannot be encumbered at this time; and

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

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

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

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 \$80,000.00 and any other necessary documents, with RICH TREE SERVICE, 325 Bergen St., South Plainfield, NJ 07080, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract Number 18-DPP-00645 under T0465/Tree Trimming, Pruning, and Removal Services.

RESOLUTION R.458-092021

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE VARIOUS GROUNDS EQUIPMENT WITH OPTIONS FROM STORR TRACTOR COMPANY THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF PARKS

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a cooperative pricing system and to enter into cooperative pricing agreements for its administration; and

WHEREAS, the Educational Services Commission of New Jersey hereinafter referred to as the "Lead Agency" has offered voluntary participation in a cooperative pricing system for the purchase of goods and services; and

WHEREAS, STORR TRACTOR COMPANY, 3191 US Highway 22, Branchburg, NJ 08876 has been awarded ESCNJ 18/19-25 Grounds Equipment under NJ State approved coop #65MCESCCPS; and

WHEREAS, the Township of Edison intends to purchase three (3) Toro Groundmasters with options at a total price of \$87,456.00 (\$29,152.00 per equipment); and

WHEREAS, the Township of Edison intends to purchase one (1) Toro Groundmaster 360 with options at a total price of \$77,454.07; and

WHEREAS, the Township of Edison intends to purchase one (1) Toro Infield Pro with options at a total price of \$35,501.69; and

WHEREAS, the total amount of these purchases shall not exceed \$200,411.76; and

WHEREAS, funds in the amount of \$200,411.76 have been certified to be available in the Acquisition of Public Works Equipment account, number C-04-17-1988-104-000; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$200,411.76, and any other necessary documents, with STORR TRACTOR COMPANY, 3191 US Highway 22, Branchburg, NJ 08876, the approved Educational Services Commission of New Jersey vendor through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$200,411.76** are available for the above in Account No. **C-04-17-1988-104-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.459-092021

RESOLUTION REJECTING BIDS FOR CUSTODIAL SUPPLIES

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on July 7, 2021, for Public Bid No. 21-07-06 Custodial Supplies with a bid opening date of July 21, 2021; and

WHEREAS, eight (8) bids were received as follows;

- A&M Industrial, Inc., 37 W Cherry St, Rahway, NJ 07065
- Interboro Packaging Corp., 114 Bracken Rd, Montgomery, NY 12549
- State Industrial Products, 5915 Landerbrook Dr, Suite 300, Mayfield Heights, OH, 44124
- The Home Depot Pro, 701 San Marco Blvd, Jacksonville, FL 32207
- Unipak Corp., PO Box 300027, Brooklyn, NY 11230
- United Sales USA Corp, 185 30th St, Brooklyn NY 11232
- Clean All Tec Corp, 921 E. Elizabeth Ave, Linden, NJ 07036
- WB Mason Co., Inc., 300 Prospect Plains Rd, Cranbury, NJ 08512; and

WHEREAS, the Township of Edison is rejecting all bids as per 40A:11-13.2(f) as the Township has decided to use a co-op authorized contract pursuant to section 12 of P.L.1971, c.198 (C.40A:11-12) as it is in the best interest of the township; and

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

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that all bids for Public Bid No. 21-07-06 Custodial Supplies are hereby rejected.

RESOLUTION R.460-092021

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO WB MASON CO., INC. FOR
CUSTODIAL SUPPLIES & EQUIPMENT FOR THE TOWNSHIP OF EDISON**

WHEREAS, there is a need for the custodial supplies and equipment for the Township of Edison; and

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a cooperative pricing system and to enter into cooperative pricing agreements for its administration; and

WHEREAS, the Hunterdon County Educational Services Commission Cooperative Purchasing Program hereinafter referred to as the "Lead Agency" has offered voluntary participation in a cooperative pricing system for the purchase of goods and services; and

WHEREAS, WB MASON CO., INC., 966 Postal Rd., Suite 100, Allentown, PA 18109, has been awarded Bid No. HCESC-Cat-19-02 Custodial Supplies and Equipment through State Co-Op #34HUNCCP; and

WHEREAS, the total amount of this Contract/Purchase Order(s), in the amount not to exceed \$75,000.00 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) in the amount not to exceed \$75,000.00 and any other necessary documents, with WB MASON CO., INC., 966 Postal Rd., Suite 100, Allentown, PA 18109 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-11 et seq. of the Local Public Contracts Law, Bid No. HCESC-Cat-19-02 Custodial Supplies and Equipment through State Co-Op #34HUNCCP.

RESOLUTION R.461-092021

**RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO RARITAN
SUPPLY FOR REPLACEMENT OF A 20" VALVE**

WHEREAS, an emergency condition existed in which the Township needed to replace a 20" valve at the intersection of Taylor and Ethel Roads; and

WHEREAS, the Township contracted vendor could not supply these items; and

WHEREAS, the Township purchased the items needed for the emergency repair from RARITAN SUPPLY, 301 Meadow Rd., Edison, NJ 08817 in the amount of \$14,007.50.; and

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

WHEREAS, WHEREAS, funds in the amount of \$14,007.50 have been certified to be available in the Water Materials and Supplies Account, No. 1-05-55-0501-000-030; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute/process contract/Purchase Order in the amount not to exceed \$14,007.50, and any other necessary documents, with RARITAN SUPPLY, 301 Meadow Rd., Edison, NJ 08817
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$14,007.50** are available for the above in Account No. **1-05-55-0501-000-030**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.462-092021

TOWNSHIP OF EDISON **CORRECTIVE ACTION PLAN FOR THE 2020 AUDIT REPORT**

***Recommendation #1:**

Description: That the Police and Fire divisions report their “official” records of sick and vacation days to the Human Resources office in order to have all records in a central location and to be integrated into the financial/human resources module (Edmunds) software.

Analysis: The Police Department utilizes a special program to set schedules and manage attendance (Police Officer Scheduling System – POSS) which has not been integrated into the Edmunds module. The Fire Department maintains their own original records.

Corrective Action: Effective January 1, 2021 the Township will be implementing Unicorn HRO platform for processing payroll and managing human resource functions. The Police POSS system is being integrated into Unicorn HRO.

Effective July 1, 2021 the Fire Department time has been integrated into the Unicorn HR/Payroll System. Sick and vacation is centralized for the Human Resources office to have records of sick and vacation balances.

Implementation Date: July 1, 2021 – Fire Department is integrated in the Unicorn System. The police department still in implementation and is scheduled to launch 2021.

***Recommendation #2:**

Description: That the Township reviews its policy with regards to adequately budgeting the appropriate amount for employee health benefits.

Analysis: The Township self-insures its health benefit programs which are administered by third parties. The Township also maintains an additional reserve fund in the event current budget year appropriations do not adequately cover claims liability.

Corrective Action: Absent state-imposed health benefits cost reforms, the Township needs to increase reserves and appropriations funding employee and retiree health benefits.

Implementation Date: Funding and Reserve levels will continue to be closely monitored. Additional funding will be requested for the 2022 Municipal Budget.

Recommendation #3:

Description: That the Township collect all required employment forms and return these forms as part of the employee's personnel files.

Analysis: Conclusion of analysis of a random sampling produced some missing documents of W4 and I-9 forms not yet placed in the employee's personnel folder.

Corrective Action: A checklist sheet of all required new hire documents has been created and will accompany the Township's new hire packet. The checklist will be signed off by the Human Resources Staff member entering this information into the Unicorn HR/Payroll System, and filed immediately into employee's personnel folder prior to being stored into filing cabinet.

RESOLUTION R.463-092021

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE SNACKS THROUGH
AN INTERLOCAL SERVICE AGREEMENT WITH THE EDISON BOARD OF EDUCATION**

WHEREAS, N.J.S.A. 40:8A-1 et seq. - authorizes contracting units to enter into Interlocal Service Agreements; and

WHEREAS, the Edison Township Board of Education, herein referred to as the “Lead Agency”, has offered voluntary participation in an Interlocal Service Agreement for the purchase of snacks for the AM & PM Latch Key Program for the 2021/2022 school year; and

WHEREAS, the Township of Edison, County of Middlesex, State of New Jersey, desires to participate in the Middlesex County Food Service Program; and

WHEREAS, MASCHIO’S FOOD SERVICES, INC., 525 EAST MAIN STREET, CHESTER, NJ 07930, C/O EDISON BOARD OF EDUCATION, 312 PIERSON AVENUE, EDISON, NJ 08837 is the vendor selected for the Edison Board of Education; and

WHEREAS, the price for these snacks shall be \$.90 per snack; and

WHEREAS, the amount of this contract not to exceed \$180,000.00 cannot be determined at this time, and the total amount of the award cannot be encumbered; 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 official responsible for issuing the purchase order shall ensure that funds are available for the purchase through either an encumbrance or certification of availability of funds pursuant to N.J.A.C. 5:30-11.10; and

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

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, that the Mayor, or his designee, is hereby authorized to execute a contract (purchase order/s) in the amount not to exceed \$180,000.00 and any other necessary documents, with MASCHIO’S FOOD SERVICES, INC., C/O EDISON BOARD OF EDUCATION.

RESOLUTION R.464-092021

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
VERONICA ABREU FOR THE ABC PROGRAM**

WHEREAS Veronica Abreu made payment in the amount of \$200.00 for her child Johnathan Diaz's participation in the ABC Program at Lindeneau Elementary School for the month of September 2021; and

WHEREAS the child was removed from the program prior to attending in September 2021; and

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$200.00 to Veronica Abreu, 43 Belmont Ave., Apt. B, Edison, NJ 08817., which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$200.00 are available in Account #1-01-55-0291-000-000.

RESOLUTION R.465-092021

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
JAMES GEORGE FOR THE ABC PROGRAM**

WHEREAS James George made payment in the amount of \$140.00 for his child Jacob George's participation in the ABC Program at James Madison Intermediate Elementary School for the month of September 2021; and

WHEREAS the child was removed from the program prior to attending in September 2021; and

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$140.00 to James George, 5 Summit Avenue, Edison, NJ 08820., which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$140.00 are available in Account #1-01-55-0291-000-000.

RESOLUTION R.466-092021

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
MATTHEW SARDONE FOR THE ABC PROGRAM**

WHEREAS Matthew Sardone made payment in the amount of \$340.00 for his child Hailey Sardone's participation in the ABC Program at Woodbrook Elementary School for the month of September 2021; and

WHEREAS the child was removed from the program prior to attending in September; and

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$340.00 to Matthew Sardone, 4 Frances Road, Edison, NJ 08820., which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$340.00 are available in Account #1-01-55-0291-000-000.

RESOLUTION R.467-092021

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
KIRTI MEHTA FOR THE ABC PROGRAM**

WHEREAS Kirti Mehta made payment in the amount of \$340.00 for his child Kavya Mehta's participation in the ABC Program at Menlo Park Elementary School for the month of September 2021; and

WHEREAS the child was removed from the program prior to attending in September 2021; and

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$340.00 to Kirti Mehta, 22 Cutter Avenue, Edison, NJ 08820., which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$340.00 are available in Account #1-01-55-0291-000-000.

RESOLUTION R.468-092021

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
RAVI KUMAR KOTTAKOTA FOR THE ABC PROGRAM**

WHEREAS Ravi Kumar Kottakota made payment in the amount of \$300.00 for his children Anika Kottakota and Navika Kottakota's participation in the ABC Program at Woodbrook Elementary School for the month of September 2021; and

WHEREAS the child was removed from the program prior to attending in September 2021; and

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$300.00 to Ravi Kumar Kottakota, 88 Pheasant Run, Edison, NJ 08820., which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$300.00 are available in Account #1-01-55-0291-000-000.

RESOLUTION R.469-092021

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
PRIYA GODBOLE FOR THE YAP PROGRAM**

WHEREAS Priya Godbole made payment in the amount of \$400.00 for her child Sargum Godbole's participation in the YAP Program at Woodrow Wilson Middle School for the months of September 2021 and October 2021; and

WHEREAS the child was removed from the program prior to attending in September and October; and

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$400.00 to Priya Godbole, 1 Timber Rd., Edison, NJ 08820., which represents the amount for the YAP Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$400.00 are available in Account #1-01-55-0291-000-000.

RESOLUTION R.470-092021

**RESOLUTION AMENDING R.366-072021 AUTHORIZING A REIMBURSEMENT TO
MEGAN ZADLOCK OF PACKAGING & DISTRIBUTION RESOURCES
FOR THE RENTAL OF PAPAIANNI PARK**

WHEREAS Megan Zadlock made payment in the amount of \$500.00 for the rental of Papaianni Park; and

WHEREAS the event was cancelled; and

WHEREAS the original purchase order reflected Megan's name and should in fact be in the name of her business, Packaging & Distribution Resources.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$500.00 to Packaging & Distribution Resources, 40 Saw Mill Pond Rd., Edison, NJ 08817, which represents the amount of the payment.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$500.00 are available in Account #1-01-55-0291-000-000.

RESOLUTION R.471-0920121

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
KIWANIS CLUB OF EDISON FOR THE RENTAL OF PAPAIANNI PARK**

WHEREAS the Kiwanis Club of Edison made payment in the amount of \$250.00 for the rental of Papaian Park; and

WHEREAS the event was cancelled; and

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$250.00 to the Kiwanis Club of Edison, 52 Rieder Rd., Edison, NJ 08817, which represents the amount of her payment.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$250.00 are available in Account #1-01-55-0291-000-000.

RESOLUTION R.472-092021

EXPLANATION: The Resolution authorizes the Mayor to execute the Middlesex County Shared Radio Networking Agreement with the County of Middlesex, a County of the State of New Jersey with respect to the ability to use the MCRN for purposes that have been approved by the MCRN administrator.

WHEREAS, Township of Edison (hereinafter referred to as Municipality or Township) and the County of Middlesex, a County of the State of New Jersey (hereinafter referred to as County) entered into the Middlesex County Shared Radio Networking Agreement (hereinafter referred to as “Agreement” or this “Contract”) for the use of the Middlesex County Radio Network (“MCRN”); and

WHEREAS, the County has constructed a new P25 Phase II, 700/800 MHz radio network with microwave redundancy for the purpose of improving public safety and public service communications and interoperability, also known as the MCRN; and

WHEREAS, the Municipality desires the ability to use the MCRN for purposes that have been approved by the MCRN administrator (the “MCRN Administrator”); and

WHEREAS, the County and the Municipality are authorized to enter into this Agreement, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq. and N.J.S.A. 40A:11-5(2); and

WHEREAS, nothing in this Agreement is intended to reduce the Municipality’s authority over responsibility for events occurring within its jurisdiction, including without limitation the ability to bid out radios or other proprietary aspects of the system.

WHEREAS, in consideration of all of the foregoing, the Township Council of the Township is desirous of authorizing and directing the entry into the said Agreement, all as aforesaid.

NOW THEREFORE BE IT RESOLVED by the Township 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 execution of the above defined Agreement by and hereby is, approved, all consistent with the above recitals, in substantially the form appended hereto as **Exhibit A** and with such input as legal counsel in consultation with Township Administration shall deem appropriate.

Section 3. All pertinent Township personnel, including without limit the Mayor, the Township Administrator and/or the Township Clerk, be and hereby are authorized and directed to enter into the said Agreement, in substantially the form attached hereto as Exhibit A, and to coordinate as necessary to adhere to the terms and conditions thereof.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.473-092021

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

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

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

WHEREAS, the Township and Entrants entered a Site Access Agreement (the “**Agreement**”) and an Amendment to same to establish the terms pursuant to which the Entrants agreed to undertake the remediation work at no cost to the Township; and

WHEREAS, Entrants have requested the Agreement be further amended to allow for the installation of groundwater monitoring wells on the Property and periodic sampling from same (the “**Second Amendment**”); and

WHEREAS, in consideration of all of the foregoing, the Township Council of the Township is desirous of authorizing and directing the entry into the said Second Amendment, all as aforesaid.

NOW THEREFORE BE IT RESOLVED by the Township 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 execution of the above defined Second Amendment by and hereby is, approved, all consistent with the above recitals, in substantially the form appended hereto as **Exhibit A** and with such input as legal counsel in consultation with Township Administration shall deem appropriate.

Section 3. All pertinent Township personnel, including without limit the Mayor, the Township Administrator and/or the Township Clerk, be and hereby are authorized and directed to enter into the said Agreement, in substantially the form attached hereto as Exhibit A, and to coordinate as necessary to adhere to the terms and conditions thereof.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.474-092021

EXPLANATION: A Resolution referring a zoning ordinance amendment to the Township Planning Board prior to the Municipal Council hearing on same, pursuant to Municipal Land Use Law, *N.J.S.A. 40:55D-1, et seq.*

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

WHEREAS, on September 8, 2021, the Municipal Council of the Township (the “**Municipal Council**”) introduced an Ordinance amending the Township Code Chapter 37, “Zoning,” Schedule A, “Schedule of Area, Yard and Building Requirements,” to increase the minimum lot requirements for the G-C Golf Course – Natural Preservation District (the “**Ordinance**”); and

WHEREAS, prior to a Municipal Council hearing on the adoption of the Ordinance, it shall be referred to the Township Planning Board, as required pursuant to *N.J.S.A. 40:55D-64* and *N.J.S.A. 40:55D-26* of the Municipal Land Use Law (the “**MLUL**”); and

WHEREAS, in consideration of all of the foregoing, the Municipal Council desires to refer the Ordinance to the Township Planning Board for review prior to the Municipal Council hearing on adoption.

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

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

Section 2. The Municipal Council hereby refers the Ordinance to the Township Planning Board consistent with *N.J.S.A. 40:55D-64* and *N.J.S.A. 40:55D-26* of the MLUL.

Section 3. This Resolution shall take effect immediately.