

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Wednesday, April 27, 2022
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 Desi Talk on November 25, 2021 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **REVIEW OF MINUTES:**
 - a. Worksession of April 11, 2022
 - b. Regular of April 13, 2022
5. **REPORTS FROM ALL COUNCIL COMMITTEES:**
6. **POINTS OF LIGHT**
7. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Introduction of 2022 Calendar Year Municipal Budget
 - b. Introduction of 2022 Calendar Year Solid Waste Budget
 - c. Resolution awarding Contract/Purchase Order for Renewal of Hardware and Software Support (\$25,255.96) (Resolution R.257-0422022)
 - d. Resolution awarding Contract/Purchase Order for Maintenance and Support of the Township's Network and Wi-Fi Infrastructures (\$8,652.32) (Resolution R.258-042022)
 - e. Resolution awarding Contract/Purchase Order for the Maintenance of the Firewalls in the Communications Server Room (\$5,145.00) (Resolution R.259-042022)
 - f. Resolution awarding contract/Purchase Order for the Renewal of Sophos Antivirus Protection and Licenses (\$22,500.00) (Resolution R.260-042022)
 - g. Resolution Awarding an Emergency Professional Services Contract/Purchase Order to All Covered For IT Services through June 30, 2022. (\$37,200.00) (Resolution R.277-042022)
8. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through April 21, 2022 (Resolution R.253-042022)
 - b. Resolution authorizing refund in the amount of \$497,035.01 for redemption of tax sale certificates (Resolution R.254-042022)
 - c. Resolution authorizing refund for Tax Overpayments totaling \$7,002.30 (Resolution R.255-042022)

- d. Resolution authorizing overpayment refund caused by Successful Tax Court Appeal (Resolution R.256-042022)
 - e. Ordinance to exceed the Municipal Budget Appropriation Limits and to Establish Cap Bank. (Ordinance O.2143-2022)
 - f. Resolution amending Resolution R.224-042022 Temporary Emergency Appropriation. (Resolution R.278-042022)
9. **FROM THE DEPARTMENT OF HEALTH:**
- a. Resolution authorizing submission of an Application for Governor's Council on Alcoholism and Drug abuse Grant for Edison Municipal Alliance for year term 7/1/22 through 3/14/23. (Resolution R.276-042022)
10. **FROM THE DEPARTMENT OF LAW:**
- a. Resolution awarding Contract for Preliminary Design Engineering Services for Papaian Park Turf Field Project (not to exceed \$273,687.75) (Resolution R.261-042022)
 - b. Resolution authorizing Mayor to execute Donation of Property Agreement with Amazon for the Receipt of Free Rapid Covid Test for the Community (Resolution R.262-042022)
 - c. Resolution authorizing the Mayor and Township Clerk to execute a Shared Service agreement with the Edison Board of Education for the Maintenance and use of Cricket Pitches (Resolution R.276-042022)
11. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Resolutions refunding Engineering Inspection fees (Resolution R.264-042022 through R.266-042022)
 - b. Resolution refunding Tree Maintenance Bond (Resolution R.267-042022)
 - c. Resolution refunding 10% Cash Performance (Resolution R.268-042022)
 - d. Resolution releasing of Performance Guarantee letter of Credit (Resolution R.269-042022)
12. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Resolutions release Street Opening Escrows (Resolution R.270-042022 and R.271-042022)
 - b. Resolution awarding Contract for Public Bid No.22-08-21 Refuse Collection Equipment Parts/Accessories (McNeilus Brand) (not to exceed \$115,000.00) (Resolution R.272-042022)
 - c. Resolution awarding Contract/Purchase Order for the purchase of Refuse Collection Equipment Parts (not to exceed \$75,000.00) (R.273-042022)
13. **FROM THE CHIEF OF FIRE:**
- a. Approval of Volunteer Firefighters
14. **FROM THE CHIEF OF POLICE:**
- a. Resolution authorizing the submission of 2022 Pedestrian Safety Enforcement and Education Grant (Resolution R.274-042022)

- b. Resolution authorizing reimbursement for Overpayment of False Alarm Fees (Resolution R.275-042022)

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

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

**O.2141-2022 AN ORDINANCE PROVIDING FOR THE VACATION OF
PAPER STREETS KNOWN AS TURNER AVENUE AND
EDISON AVENUE.**

**O.2142-2022 AN ORDINANCE AMENDING CHAPTER 2,
“ADMINISTRATION”, SUBCHAPTERS 2-33.1,
DIVISION OF FIRE, RESCUE AND EMERGENCY
SERVICES AND 2-33.2, PERSONNEL OF DIVISION OF
FIRE, RESCUE AND EMERGENCY SERVICES.**

17. **DISCUSSION ITEMS:**

Council President Coyle

- a. None

Councilmember Brescher

- a. None

Councilmember Harris

- a. None

Councilmember Patel

- a. None

Councilmember Patil

- a. None

Councilmember Poyner

- a. None

Councilmember Ship-Freeman

- a. None

18. **APPROVAL OF MINUTES:**

- a. Worksession of April 11, 2022
- b. Regular of April 13, 2022

19. **COUNCIL PRESIDENT'S REMARKS**

20. **CALENDAR YEAR 2022 MUNICIPAL AND SOLID WASTE BUDGET**

- a. **Introduction of Calendar Year 2022 Municipal Budget**
- b. **Introduction of Calendar Year 2022 Solid Waste Budget**

21. **APPROVAL OF VOLUNTEER FIREFIGHTERS:**

Edison Volunteer Fire Company #1
Diego Fernando Mora

Oak Tree Volunteer Fire Company
Jonathan G. Villalona

Raritan Engine Company #1
Aristotle M. Lago

Raritan Engine Company #2
Frank N. Todd

22. **UNFINISHED BUSINESS:**

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

O.2141-2022 AN ORDINANCE PROVIDING FOR THE VACATION OF PAPER STREETS KNOWN AS TURNER AVENUE AND EDISON AVENUE.

O.2142-2022 AN ORDINANCE AMENDING CHAPTER 2, "ADMINISTRATION", SUBCHAPTERS 2-33.1, DIVISION OF FIRE, RESCUE AND EMERGENCY SERVICES AND 2-33.2, PERSONNEL OF DIVISION OF FIRE, RESCUE AND EMERGENCY SERVICES.

23. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR
WEDNESDAY, MAY 11, 2022.**

**O.2143-2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH CAP
BANK.**

24. **PUBLIC COMMENT ON THE RESOLUTIONS**

25. **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.253-042022 Resolution approving disbursements for the period ending April 21, 2022.
R.254-042022 Resolution authorizing refund in the amount of \$497,035.01 for redemption of tax sale certificates.
R.255-042022 Resolution authorizing refund of tax overpayments, totaling \$7,002.30.
R.256-042022 Resolution authorizing overpayment refund caused by Successful Tax Court Appeal
R.257-042022 Resolution awarding Contract/Purchase Order for Renewal of Hardware and Software Support to CDW Government LLC in an amount not to exceed \$25,255.96.
R.258-042022 Resolution awarding Contract/Purchase Order for Maintenance and Support of the Township's Network and Wi-Fi Infrastructures to CDW Government, LLC in the amount of \$8,652.32.
R.259-042022 Resolution awarding Contract/Purchase Order for the Maintenance of the Firewalls in the Communications Server Room to CDW Government Inc. through the Educational Services Commission of New Jersey Cooperative pricing System in the amount of \$5,145.00.
R.260-042022 Resolution awarding contract/Purchase Order for the Renewal of Sophos Antivirus Protection and Licenses to CDW Government, LLC in the amount of \$22,500.00.
R.261-042022 Resolution awarding Contract for Preliminary Design Engineering Services for Papaiani Park Turf Field Project to CME Associates in an amount not to exceed \$273,687.75.
R.262-042022 Resolution authorizing Mayor to execute Donation of Property Agreement with Amazon for the Receipt of Free Rapid Covid Test for the Community.
R.263-042022 Resolution authorizing submission of an Application for Governor's Council on Alcoholism and Drug abuse Grant for Edison Municipal Alliance for year term 7/1/22 through 3/14/23.

- R.264-042022 Resolution Refunding Engineering Inspection Fees to The Hartz Group Inc., c/o Hartz Mountain Industries, Inc., 500 Plaza Drive, 6th Floor, Secaucus, NJ 07094, ATTENTION: James Rhatican, for Edison Town Square Phase 3, Restaurant Zinburger/Starbucks (939 US 1 South) Application # P5161 in EI160711HA.
- R.265-042022 Resolution Refunding Engineering Inspection Fees to FedEx Ground Package System Inc., having offices at, 1000 FedEx Drive, Moon Township, PA 15108, ATTENTION: Philip Peckich, for 100 Seneca Street, Application: P4-2018, Account # EI200403FE.
- R.266-042022 Resolution Refunding Engineering Inspection Fees (Additional Interest) to Toranco-Oak Tree Road Associates, LLC, 2163 Oak Tree Road, Suite 101, Edison, NJ 08820 Application Z59-08/09, Account # 7760296159
- R.267-042022 Resolution Refunding Tree Maintenance Bond to Nader, Anton/Nader Antoun/Nader, Antoun & Lilane and Affiliated Entities Per Schedule A, c/o Asset Management Consultants, 12841 Fitzwater Drive, Nokesville, VA 20181, for Dunkin Donuts Drive-up Window, 2193 Route 27, Application Z06-06/07 - Vineyard Road Rt 27, LLC, Permit 08-94, Account # 7760275088.
- R.268-042022 Resolution Refunding 10% Cash Performance, to The Hartz Group Inc., c/o Hartz Mountain Industries, Inc, 500 Plaza Drive, 6th Floor, Secaucus, NJ 07094, ATTENTION: James Rhatican, for Edison Town Square Phase 3, Restaurant Zinburger/Starbucks, Application P5161.
- R.269-042022 Resolution Releasing Performance Guarantee Letter of Credit to JP Morgan Chase Bank, NA, Global Trade Operations, 10420 Highland Manor Drive, Floor 04, Tampa, FL 33610-9128, for Town Square Phase 3, Restaurant Zinburger/Starbucks, Application P5161.
- R.270-042022 Resolution release Street Opening Escrow for Permit DEV-21-0375, Blk. 1110, Lot 6, aka 25 Johnstone St. in the amount of \$1,600.00
- R.271-042022 Resolution release Street Opening Escrow for Permit DEV-20-0257, blk. 1020, Lot 5, aka 6 Frances Road in the amount of \$2,880.00.
- R.272-042022 Resolution awarding Contract for Public Bid No.22-08-21 Refuse Collection Equipment Parts/Accessories (McNeilus Brand) to Mid-Atlantic Waste System in an amount not to exceed \$115,000.00.
- R.273-042022 Resolution awarding Contract/Purchase Order for the purchase of Refuse Collection Equipment Parts to & S Hydraulics, Inc. through the Somerset County Cooperative Pricing System in an amount not to exceed \$75,000.00.
- R.274-042022 Resolution authorizing the submission of 2022 Pedestrian Safety Enforcement and Education Grant.
- R.275-042022 Resolution authorizing reimbursement for Overpayment of False Alarm Fees to AAA All Services, Inc. t/a Ken's Plumbing in the amount of \$120.00.
- R.276-042022 Resolution authorizing the Mayor and Township Clerk to execute a Shared Service agreement with the Edison Board of Education for the Maintenance and use of Cricket Pitches.

R.277-042022 Resolution Awarding an Emergency Professional Services Contract/Purchase Order to All Covered For It Services in an amount not to exceed \$37,200.00.

R.278-042022 Resolution amending Resolution R.224-042022 Temporary Emergency Appropriation.

26. **ORAL PETITIONS AND REMARKS**

27. **ADJOURNMENT**

TOWNSHIP OF EDISON

ORDINANCE O.2141-2022

AN ORDINANCE PROVIDING FOR THE VACATION OF PAPER STREETS KNOWN AS TURNER AVENUE AND EDISON AVENUE

WHEREAS, the Township of Edison previously passed Ordinance O.1446-2005 vacating portions of unimproved paper streets known as Turner Avenue between Elizabeth Avenue and Lot 1-A, Block 622-A and Lot 5, Block 642, and Edison Avenue between Elizabeth Avenue and Lot 21, Block 643-FF as shown on the 2004 version of the Official Tax Map of Edison (the “Unimproved Streets”) that served no public purpose, required unwarranted Township maintenance costs, and needed to be vacated; and

WHEREAS, the Official Tax Map of Edison was updated in 2005 to reflect the vacation of the aforementioned Unimproved Streets; and

WHEREAS, it has recently been discovered that the ordinance vacating those paper streets was never properly recorded in the Office of the Registrar of Deeds and Mortgages of the County of Middlesex; and

WHEREAS, there still exists a need to vacate the Unimproved Streets and to ratify and memorialize the prior resolution and ownership status of the streets to be vacated; and

WHEREAS, the entirety of the Unimproved Streets, including the portions to be vacated, are neither open to the public for the purposes of vehicular traffic nor publicly maintained as a street; therefore, this vacation ordinance is not subject to review by the Commissioner of the New Jersey Department of Transportation with regard to the traffic regulations thereon pursuant to N.J.S.A. 39:4-8; and

WHEREAS, N.J.S.A. 40:67-1b and N.J.S.A. 40:67-19 empowers the governing body of a municipality to make, amend, repeal and enforce ordinances to vacate any public street, including the vacation of any portion of any public street, and to vacate any street, or any part thereof, dedicated to public use but not accepted by the municipality, whether or not the same, or any part, has been actually opened or improved; and

WHEREAS, the Township Council of the Township of Edison has considered evidence that the portion of the Unimproved Streets to be vacated is not needed by the general public as a public thoroughfare and lends itself to higher and better use than as and for a public thoroughfare and for use by the general public, and the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in and to the below described portion of the Unimproved Streets; and

WHEREAS, the public right-of-way to be vacated shall revert to the corresponding abutting property owners; and

WHEREAS, the Township Council of the Township of Edison does determine that the public right-of-way being a portion of the Unimproved Streets is no longer needed for public purposes; and

WHEREAS, the Township Council of the Township of Edison finds it to be in the best interests of the Township and its citizenry to vacate the public right-of-way with the Township's property interests reverting to the owners of Lots as more particularly described herein.

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

Section I:

All those portions of Edison Avenue and Turner Avenue more particularly described as follows are hereby vacated, released and extinguished except as hereinafter mentioned:

- A. Edison Avenue from the westerly sideline of Elizabeth Avenue extended to Lot 20.02, Block 643.32 (formerly Lot 21 in Block 643-FF) and
- B. Turner Avenue from the westerly sideline of Elizabeth Avenue to Lot 1.01 Block 622-A (formerly Lot 1-A in Block 622-A and Lot 1.02, Block 640 (formerly Lot 5 in Block 642).

Section II:

The Township of Edison, however, reserves the right to maintain, operate, repair and replace by itself and by any licensee or holder of a franchise from the Township, any poles, wires, pipes, conduits, sewer mains, water mains or any other facility or equipment for the maintenance and operation of any utility now located in said street or any portion thereof.

Section III:

Pursuant to N.J.S.A. 40:67-21, within sixty (60) days after this Ordinance becomes effective, the Township Clerk shall file a copy thereof, certified by her, under the Seal of the Township of Edison, to be a true copy of such Ordinance, together with a copy of proof of publication therein, in the Office of the Registrar of Deeds and Mortgages of the County of Middlesex.

Section IV:

This Ordinance shall take effect following adoption and approval in a time and a manner prescribed by law.

ORDINANCE O.2142-2022

AN ORDINANCE AMENDING CHAPTER 2, “ADMINISTRATION”, SUBCHAPTERS 2-33.1, DIVISION OF FIRE, RESCUE AND EMERGENCY SERVICES AND 2-33.2, PERSONNEL OF DIVISION OF FIRE, RESCUE AND EMERGENCY SERVICES

EXPLANATION: An Ordinance amending the Township Code to update the hiring process of volunteer and paid firefighters.

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

WHEREAS, the Township’s Municipal Code (“**Code**”) currently lists the Mayor as the “appropriate authority” as provided by N.J.S.A. 4A:14-118; and

WHEREAS, the current hiring practices for volunteer firefighters is solely thorough the appointment by the Director of Public Safety; and

WHEREAS, the current hiring practices for paid firefighters is determined by the Director of Public Safety; and

WHEREAS, the Township has received a request to amend the hiring practice for Edison Firefighters; and

NOW THEREFORE BE IT ORDAINED by the Municipal Council of the Township of Edison that Chapter 2 Administration, Subchapter 2-33.1 and Subchapter 2-33.2 of the Code shall be amended to read as follows:

Deletions are noted by ~~strike throughs~~

Additions are indicated in **bold underline**

Language that remains unchanged is not highlighted in any way

§ 2-33.1 Division of Fire, Rescue and Emergency Services.

a. The Division of Fire, Rescue and Emergency Services (hereinafter the "Division") shall consist of the personnel set forth in this subsection 2-33.1 and in subsection 2-33.2 and shall include (i) the following five (5) fire volunteer companies (hereinafter referred to as the "Volunteer Fire Companies"): Raritan Engine Company #1, Raritan Engine Company No. 2, Edison Volunteer Fire Company No. 2, H.K. Volunteer Fire Company No. 1, and Oak Tree Volunteer Fire Company, (ii) any and all paid firefighters, (iii) fire officers, and (iv) Emergency Medical Technicians of the Township.

b. The Chief shall be the head of the Division and shall be appointed by the Director of Public Safety. The Chief of the Division shall be the executive head of the Division and shall be in charge thereof. The Chief shall report to and be under the supervision of the Director of Public Safety.

c. The Deputy Chiefs of the Division shall be appointed by the Director of Public Safety. Deputy Chiefs shall be second in command. The Deputy Chiefs shall report to and be under the supervision of the Chief of the Division. A Deputy Chief designated by the Chief of the Division shall perform the duties of the Chief of the Division in the Chief's absence.

d. There shall be two (2) Volunteer Deputy Chiefs of the Division who shall be appointed by **the Mayor with the assistance of the** Director of Public Safety **and in consultation with the Fire Chief's Association.** Volunteer Deputy Chiefs shall have operational oversight and coordination of the Volunteer Fire Companies. Volunteer Deputy Chiefs shall report to and be under the supervision of the Chief of the Division.

e. There shall be one (1) Chief Fire Inspector who shall administer the Office of the Fire Prevention Bureau.

f. There shall be a Division Officer assigned to the Training Bureau who shall administer the Training Bureau.

g. There shall be a Division Officer assigned to the Emergency Medical Services (the "EMS") Bureau who shall administer the EMS Bureau.

§ 2-33.2 Personnel of Division of Fire, Rescue and Emergency Services.

a. Full-Time/Paid Branch. The full-time/paid branch of the Division shall consist of the Chief and such number of Deputy Chiefs, Battalion Chiefs, Captains, Firefighters, Chief Fire Inspector, Fire Inspectors, Emergency Medical Technician Supervisor and Emergency Medical Technicians as shall be determined and appointed by the Director of Public Safety from time to time. The actual complement of members of the full-time/paid branch of the Division shall be determined by **the Mayor with the assistance of the** Director of Public Safety **and in consultation with the Fire Chief's Association,** all of whom shall act and be known as firefighters and emergency medical technicians of the Township.

b. Volunteer Branch. There shall be a volunteer branch within the Division. The personnel of the Volunteer Fire Companies will be consistent with the bylaws of each of the Volunteer Fire Companies.

The volunteer officers shall serve under the supervision of the Chief and Deputy Chiefs of the Division and shall be responsible for the strict enforcement of all laws, ordinances, rules and regulations relating to the Division.

The actual complement of Volunteer Fire Company Officers shall be determined by the bylaws of each of said Volunteer Fire Companies.

c. Chain of Command of Full-Time/Paid and Volunteer Branches. In order to promote and advance the efficient operations of the Division, the Chief shall, by general order, establish a chain of command for the Division.

SECTION II. REPEALER: 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 2 of the Code shall remain unchanged and have full force and legal effect.

SECTION III. EFFECTIVE DATE: A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk. 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.

ORDINANCE O.2143-2022

TOWNSHIP OF EDISON
COUNTY OF MIDDLESEX, NEW JERSEY

CALENDAR YEAR 2022

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A
CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Edison in the County of Middlesex, N.J., finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 1.0 % increase in the budget for said year, amounting to **\$1,267,941.96** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Edison in the County of Middlesex, N.J., a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Township of Edison shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to **\$4,437,796.86** and that the CY 2022 municipal budget for the Township of Edison be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

RESOLUTION R.253-042022

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING APRIL 21, 2022.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, April 22, 2022.

FUND	AMOUNT
Current	\$5,170,168.57
Affordable Housing	0.00
Capital	150,722.65
Cash Performance	37,386.62
CDBG	6,602.51
Developers Escrow	26,107.25
Dog (Animal Control)	4,776.87
Federal Forfeited	22,396.47
Grant Funds	0.00
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	460,413.25
Sanitation Fund	173,530.05
Self Insurance	0.00
Sewer Utility	65,254.82
Street Opening	0.00
Tax Sale Redemption	502,428.65
Tree Fund	0.00
Tree Planting	0.00
Trust	203,315.73
Edison Water Utility	95,298.76
Edison Landfill Closure Trust	0.00
TOTAL	\$6,918,402.20

/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.254-042022

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 **\$497,035.01**.

RESOLUTION R.255-042022

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 **\$7,002.30.**

RESOLUTION R.256-042022

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 **\$ 2,951.50**, 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 **\$ 2,951.50**.
 - 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.257-042022

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT LLC FOR
THE RENEWAL OF HARDWARE & SOFTWARE SUPPORT FOR THE TOWNSHIP SERVERS**

WHEREAS, there is a need for the renewal of the Hardware & Software Support for the Township Servers for the period of May 1, 2022 – April 30, 2023; and

WHEREAS, CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061, has been awarded State Contract Number 20-TELE-01511 under T3121 Software Reseller 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 amount of this contract shall not exceed \$25,255.96; and

WHEREAS, funds in the amount of \$12,627.98 have been certified to be available in the Dispatch 911 Maintenance of Other Equipment Account, Number 2-01-25-0250-000-026 and funds in the amount of \$12,627.98 have been certified to be available in the Business Administration Computer Hard & Software Account, Number 2-01-20-0100-001-059 subject to and contingent upon the availability of sufficient funds in the 2022 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. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$25,255.96 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 Contract No. 20-TELE-01511 under T3121.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$12,627.98** are available for the above in Account No. **2-01-25-0250-000-026** and funds in the amount of **\$12,627.98** are available for the above in Account No. **2-01-20-0100-001-059** subject to and contingent upon the availability of sufficient funds in the 2022 temporary and/or permanent budget.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.258-042022

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT, LLC FOR
MAINTENANCE AND SUPPORT OF THE TOWNSHIP'S NETWORK AND WI-FI
INFRASTRUCUTURE**

WHEREAS, there is a need for the renewal maintenance and support of the Township's Network and Wi-fi Infrastructure (Extreme) for the period of May 25, 2022 – August 4, 2023; and

WHEREAS, CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061 has been awarded National Coop #081419 – CDW Tech Catalog; and

WHEREAS, the State of New Jersey passed Public Law 2011, Chapter 139, that allows local contracting units to utilize national cooperative contracts as an acceptable procurement method, explained in detail in the New Jersey Department of Community Affairs, Division of Local Government Services, and Local Finance Notice No. LFN 2012-10; and

WHEREAS, the total amount of this contract shall not exceed \$8,652.32; and

WHEREAS, funds in the amount of \$4,326.16 have been certified to be available in the Police – Maintenance of Other Equipment Account, Number 2-01-25-0240-000-026 and funds in the amount of \$4,326.16 have been certified to be available in the Business Administrator Computer Hard & Software Account, Number 2-01-20-0100-001-059 subject to and contingent upon the availability of sufficient funds in the 2022 temporary and/or permanent budget; and

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

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 \$8,652.32 and any other necessary documents, with CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061, the approved Sourcewell National Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Sourcewell National Cooperative Pricing System contract as set forth above.
2. This contract is awarded pursuant to Public Law 2011, Chapter 139 and Local Finance Notice No. LFN 2012-10, and National Coop #081419 – CDW Tech Catalog.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$4,326.16** are available for the above contract in Account No. **2-01-25-0240-000-026** and funds in the amount of **\$4,326.16** are available in Account No. **2-01-20-0100-001-059**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.259-042022

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT
INCORPORATED THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY
COOPERATIVE PRICING SYSTEM FOR THE MAINTENANCE OF THE FIREWALLS IN THE
COMMUNICATIONS SERVER ROOM**

WHEREAS, there is a need to renew the maintenance of the Firewalls in the Communications Server room for the period of May 1, 2022 – April 30, 2023; 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 Township of Edison is a member of the EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING SYSTEM #65MCESCCPS; and

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

WHEREAS, funds in the amount of \$5,145.00 have been certified to be available in Dispatch 911 Computer Hardware & Software Account, number 2-01-25-0250-000-059 subject to and contingent upon the availability of sufficient funds in the 2022 temporary and/or permanent budget; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$5,145.00 and any other necessary documents, with CDW GOVERNMENT LLC, 230 North Milwaukee Ave., Vernon Hills, IL 60061, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-11 et seq. of the Local Public Contracts Law, and ESCNJ 18/19-03 (Technology Supplies & Services).

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$5,145.00** are available in Account number **2-01-25-0250-000-059** subject to and contingent upon the availability of sufficient funds in the 2022 temporary and/or permanent budget.

Nicholas C. Fargo

RESOLUTION R.260-042022

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT LLC FOR
THE RENEWAL OF SOPHOS ANTIVIRUS PROTECTION AND LICENSES FOR THE TOWNSHIP OF
EDISON**

WHEREAS, there is a need to renew Sophos antivirus protection and licenses for the Township of Edison for the period of May 30, 2022 – May 29, 2023; and

WHEREAS, CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061, has been awarded State Contract Number 20-TELE-01511 under T3121 Software Reseller 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 amount of this contract shall not exceed \$22,500.00; and

WHEREAS, funds in the amount of \$11,250.00 have been certified to be available in the Dispatch 911 Maintenance of Other Equipment Account, Number 2-01-25-0250-000-026 and funds in the amount of \$11,250.00 have been certified to be available in the Business Administration Computer Hard & Software Account, Number 2-01-20-0100-001-059 subject to and contingent upon the availability of sufficient funds in the 2022 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. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$22,500.00 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 Contract No. 20-TELE-01511 under T3121.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$11,250.00** will be available for the above in Account No. **2-01-25-0250-000-026** and **\$11,250.00** in Account No. **2-01-20-0100-001-059** subject to and contingent upon the availability of sufficient funds in the 2022 temporary and/or permanent budget.

RESOLUTION R.261-042022

**RESOLUTION AWARDING CONTRACT FOR PRELIMINARY DESIGN ENGINEERING SERVICES
FOR PAPAIANNI PARK TURF FIELD PROJECT
TO CME ASSOCIATES**

WHEREAS, the Township of Edison is in need of preliminary design engineering services for the Papaianni Park Turf Field Project; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(a)(i), any contract, purchase or agreement, the subject matter of which consists of professional services is an exception to the public bidding requirements of the Local Public Contracts Law; and

WHEREAS, proposals were previously solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq; and

WHEREAS, the Township of Edison awarded General Engineering Consulting Services to CME Associates by Resolution No. R. 178-032022 at a regular meeting of the Township of Edison (the "Township") held on March 9, 2022; and

WHEREAS, it is necessary for the Township to obtain preliminary design engineering services (the "Services") for the Papaianni Park Turf Project; and

WHEREAS, the Services are an exception to the public bidding requirements of the Local Public Contracts Law as a professional service; and

WHEREAS, pursuant to the April 7, 2022 proposal for Professional Services submitted by CME Associates for the Papaianni Park Turf Project, the Township would like to award a contract to CME for preliminary design engineering services;

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

1. A contract is awarded to CME Associates for the preparation of plans and specifications for the Papaianni Park Turf Field in an amount not to exceed \$273,687.75.
2. The Mayor or his designee is hereby authorized to execute a contract for the services and any other documents with CME relative to the project.
3. Attached hereto is the certification of the Chief Financial Officer of the Township which states that there are legally appropriated sufficient funds with the Capital Account #C-04-21-2128-110-001 to cover the cost of this contract.
4. No payment in excess of the "not to exceed amount" of \$273,687.75 for this contract will be approved.
5. This resolution shall take effect immediately.

RESOLUTION R.262-042022

**RESOLUTION AUTHORIZING MAYOR TO EXECUTE DONATION OF PROPERTY AGREEMENT
WITH AMAZON FOR THE RECEIPT OF FREE RAPID COVID ANTIGEN TESTS FOR THE
COMMUNITY**

WHEREAS, Amazon would like to be a good neighbor and support the Edison community by donating free rapid COVID Antigen tests to the Township of Edison for use with staff, front-line workers and residents; and

WHEREAS, the Township of Edison is appreciative of the offer from Amazon to donate these test kits;
and

WHEREAS, in order for the Township to accept the donation from Amazon, it is necessary for the Township to execute a Master Donation of Property Agreement with Amazon;

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

1. The Mayor or his designee is hereby authorized to execute the Master Donation of Property Agreement with Amazon for the donation of 7500 rapid COVID tests and any other documents with Amazon relative to the donation.
2. This resolution shall take effect immediately.

RESOLUTION R.263-042022

FORM 1B – DMHAS Youth Leadership Grant

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

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

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

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

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

1. The Edison Township Council does hereby authorize submission of an application for DMHAS Grant funding for the Edison Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:
DMHAS Grant Funding \$5000.00
2. The Edison Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Mayor Sam Joshi, Mayor/Head of Governing Body

CERTIFICATION

I, Cheryl Russomanno, Municipal Clerk of the Township of Edison, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Edison Township Council on this 27th day of April, 2022

Cheryl Russomanno, Municipal Clerk

RESOLUTION R.264-042022

EXPLANATION: Resolution Refunding Engineering Inspection Fees to The Hartz Group Inc., c/o Hartz Mountain Industries, Inc., 500 Plaza Drive, 6th Floor, Secaucus, NJ 07094, ATTENTION: James Rhatican, for Edison Town Square Phase 3, Restaurant Zinburger/Starbucks (939 US 1 South) Application # P5161 in EI160711HA.

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject located in Edison Town Square Phase 3, Restaurant Zinburger/Starbucks, (939 US Route 1 South) Block: 198L Lots: 37.01, 37.02 and 37.03

WHEREAS, Certificate of Occupancies were issued on June 20, 2017 and June 21, 2017

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 **\$24,987.42**, which represents the amount due and owing the applicant, be returned to The Hartz Group, Inc, c/o Hartz Mountain Industries, Inc., 500 Plaza Drive, 6th Floor, Secaucus, NJ 07094, ATTENTION: James Rhatican, Account # EI160711HA.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of **\$24,987.42** plus accrued interest, if applicable, be refunded to the applicant, The Hartz Group Inc., c/o Hartz Mountain Industries, Inc., ATTENTION: James Rhatican, Account # EI160711HA.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of **\$24,987.42**, plus any accrued interested, if applicable, in account # EI160711HA, to the applicant, The Hartz Group, Inc, c/o Hartz Mountain Industries, Inc., having an address of 500 Plaza Drive, 6th Floor, Secaucus, NJ 07094, ATTENTION: James Rhatican.

RESOLUTION R.265-042022

EXPLANATION: Resolution Refunding Engineering Inspection Fees to FedEx Ground Package System Inc., having offices at, 1000 FedEx Drive, Moon Township, PA 15108, ATTENTION: Philip Peckich, for 100 Seneca Street, Application: P4-2018, Account # EI200403FE.

WHEREAS, the Township Engineer advises that a final inspection was made of 100 Seneca Street located in Block: 390 Lot: 47-B, Application # P4-2018, and said inspection indicates all site improvements are complete and in accordance with the Site Plan approval and Municipal Standards of Township of Edison and

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 \$66,758.85, which represents the amount due and owing the applicant, be returned to FedEx Ground Package System, Inc., having offices at 1000 FedEx Drive, Moon Township, PA 15108, ATTENTION: Philip Peckich, Account # EI200403FE.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$66,785.85 plus accrued interest, if applicable, be refunded to the applicant, FedEx Ground Package System, Inc., having offices at, 1000 FedEx Drive, Moon Township, PA 15108, Attention: Philip Peckich, Account # EI200403FE.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of **\$66,758.85**, plus any accrued interest, if applicable, in account #**EI200403FE** to the applicant, **FedEx Ground Package System, Inc., having offices at 1000 FedEx Drive, Moon Township, PA 15108, Attention: Philip Peckich.**

RESOLUTION R.266-042022

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

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

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

WHEREAS, it is in now in order that the sum of \$92.14, which represents the amount due and owing the applicant, be returned to Toranco-Oak Tree Road Associates, 2163 Oak Tree Road, Suite 101, Edison, NJ 08820, Account # 7760296159.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$92.14 be refunded to the applicant, Toranco-Oak Tree Road Associates, LLC, Account # 7760296159.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$92.14 in account # 7760296159 to the applicant, Toranco-Oak Tree Road Associates, LLC, having an address of 2163 Oak Tree Road, Suite 101, Edison, NJ 08820.

RESOLUTION R.267-042022

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Nader, Anton/Nader Antoun/Nader, Antoun & Lilane and Affiliated Entities Per Schedule A, c/o Asset Management Consultants, 12841 Fitzwater Drive, Nokesville, VA 20181, for Dunkin Donuts Drive-up Window, 2193 Route 27, Application Z06-06/07 - Vineyard Road Rt 27, LLC, Permit 08-94, Account # 7760275088.

WHEREAS, on October 24, 2008, Anton Nader posted Tree Maintenance Bond fees in the amount of \$495.00, with Check No 1765 of SI Bank & Trust, on deposit with the Township of Edison in account # 7760275088, 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 Dunkin Donuts Drive-up Window, Block 124, Lot 20.01, 2193 Route 27, Edison, NJ, 08817.

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, a certificate of occupancy was issued on March 7, 2011.

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$495.00 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 \$495.00 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 \$495.00, plus any accrued interest as applicable, on deposit in account # 7760275088, to Nader, Anton/Nader, Antoun/Nader, Antoun & Lilane and Affiliated Entities Per Schedule A, c/o Asset Management Consultants, 12841 Fitzwater Drive, Nokesville, VA 20181, for the referenced property at Dunkin Donuts Drive-up Window, 2193 Route 27, Edison, NJ 08817.

RESOLUTION R.268-042022

EXPLANATION: Resolution Refunding 10% Cash Performance, to The Hartz Group Inc., c/o Hartz Mountain Industries, Inc, 500 Plaza Drive, 6th Floor, Secaucus, NJ 07094, ATTENTION: James Rhatican, for Edison Town Square Phase 3, Restaurant Zinburger/Starbucks, Application P5161.

WHEREAS, the Township Engineer advises that an inspection has been made of Zinburger/Starbucks. Block: 198L, Lots# 37.01, 37.02, and 37.03 and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison,

WHEREAS, the applicant has requested the return of the 10% Cash Performance, as provided by law; and

WHEREAS, Certificates of Occupancies were issued on June 20, 2017 and June 21, 2017

WHEREAS, the Township Engineer recommends the release of the 10% Cash Performance posted on 7/11/2016, Check # 672518 of JP Morgan Chase Bank NA, for Hartz Mountain Industries, Inc., in the amount of \$73,053.18 and deposited in account CP160711P5.

BE IT FURTHER RESOLVED, that the Director of Finance is hereby authorized to return the aforesaid 10% Cash Performance in the sum of \$73,053.18, plus accrued interest as applicable, on deposit in Account # CP160711P5 to The Hartz Group, Inc, c/o Hartz Mountain Industries, Inc., having offices at 500 Plaza Drive, 6th Floor, Secaucus, NJ 07094, ATTENTION: James Rhatican.

RESOLUTION R.269-042022

EXPLANATION: Resolution Releasing Performance Guarantee Letter of Credit to JP Morgan Chase Bank, NA, Global Trade Operations, 10420 Highland Manor Drive, Floor 04, Tampa, FL 33610-9128, for Town Square Phase 3, Restaurant Zinburger/Starbucks, Application P5161.

WHEREAS, The Hartz Group, Inc., c/o Hartz Mountain Industries, Inc., having offices at 500 Plaza Drive, 6th Floor, Secaucus, NJ 07094, posted a Performance Surety Bond Letter of Credit #CPCS-155990 on June 29, 2016 of JP Morgan Chase Bank, NA, having offices at Global Trade Operations, 10420 Highland Manor Drive, Floor 04, Tampa, FL 33610-9128, in the amount \$657,478.62, to guarantee the installation of improvements for the project known as Restaurant Zinburger/Starbucks located in Block 198L and Lots # 37.01, 37.02 and 37.03 and designated Application # P5161; and

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

WHEREAS, Certificates of Occupancies were issued on June 20, 2017 and June 21, 2017

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Final Acceptance of the improvements be granted, and that the Performance Surety Bond Letter of Credit #CPCS-155990 of \$657,478.62 be released.

BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby authorized to release the aforesaid Performance Surety Bond Letter of Credit #CPCS-155990 of \$657,478.62 to JP Morgan Chase Bank, NA, Global Trade Operations, 10420 Highland Manor Drive, Floor 04, Tampa, FL 33610-9128.

RESOLUTION R.270-042022

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000582, to the following:

Permit Number: DEV-21-0375

Opening Location: 25 JOHNSTONE ST

Block/Lot: 1110/6

Applicant's Name & Address:

**NASIR MANSURI
25 JOHNSTONE ST
EDISON, NJ 08817**

Initial Deposit Date: 07/08/2021

Deposit Amount: \$ 1,600.00

Paid by & refunded to:

**ASIF MANSURI
25 JOHNSTONE ST
EDISON, NJ 08817**

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

RESOLUTION R.271-042022

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000498, to the following:

Permit Number: DEV-20-0257

Opening Location: 6 FRANCES RD

Block/Lot: 1020/5

Applicant's Name & Address:

**FRANCES ROYAL FAMILY LLC
107 WALNUT ST
LIVINGSTON, NJ 07039**

Initial Deposit Date: 09/30/2020

Deposit Amount: \$ 2,880.00

Paid by & refunded to:

**FRANCES ROYAL FAMILY LLC
MUHMOOD AHMADI
6 FRANCES RD
EDISON, NJ 08820**

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.272-042022

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO MID-ATLANTIC WASTE SYSTEMS FOR REFUSE COLLECTION EQUIPMENT PARTS/ACCESSORIES (MCNEILUS BRAND)

WHEREAS, bids were received by the Township of Edison on March 22, 2022 for Public Bid No. 22-08-21 Refuse Collection Equipment Parts/Accessories (McNeilus Brand) for the Department of Public Works; and

WHEREAS, MID-ATLANTIC WASTE SYSTEMS, 314 Bay West Blvd., Bldg. 3, New Castle, DE 19720, submitted the sole, legally responsible, responsive bid; and

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

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$115,000.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by MID-ATLANTIC WASTE SYSTEMS, 314 Bay West Blvd., Bldg. 3, New Castle, DE 19720, for Refuse Collection Equipment Parts/Accessories (McNeilus Brand) for the Department of Public Works, is determined to be the sole legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$115,000.00 for the first year and any succeeding renewal year, subject to and contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with MID-ATLANTIC WASTE SYSTEMS as described herein.

RESOLUTION R.273-042022

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO K&S HYDRAULICS, INC.
THROUGH THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF
REFUSE COLLECTION EQUIPMENT PARTS**

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Township of Edison is a member of the Somerset County Cooperative Pricing System #2-SOCCP; and

WHEREAS, K&S HYDRAULICS, INC., 25E Kearney St., Unit C, Bridgewater, NJ 08807, has been awarded Contract #CC-0129-21 for OEM Parts and Repairs, Heavy Duty Vehicles over 14,500 GVW through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order(s) with K&S HYDRAULICS, INC., for the purchase of Refuse Collection Equipment Parts (McNeilus, Labrie and Leach Brands); and

WHEREAS, the total not to exceed amount of \$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) and any other necessary documents in the amount not to exceed amount of \$75,000.00, with K&S HYDRAULICS, INC., 25E Kearney St., Unit C, Bridgewater, NJ 08807, the approved Somerset County Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Somerset County Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

RESOLUTION R.274-042022

**2022 PEDESTRIAN SAFETY ENFORCEMENT AND EDUCATION
GRANT APPROVAL**

WHEREAS, the division of Police has been approved for grant funding in the amount of \$16,500.00 to provide additional manpower hours to educate the public in pedestrian laws, increased enforcement of traffic laws, and additional signage; and

WHEREAS, in 2020, over 550 pedestrians were killed in traffic accidents in NJ, which was a marked increase from 2019; and

WHEREAS, an enforcement crackdown is planned to combat traffic violations related to pedestrian laws; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has approved several law enforcement agencies throughout the State to participate in the Pedestrian Safety Grant; and

WHEREAS, the project will involve increased enforcement and education from July 1, 2021 through May 31, 2022; and

WHEREAS, an increase in education and enforcement will save pedestrian lives on our roadways;

THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares it's acceptance of the grant and supports participation in, The Pedestrian Safety Grant Program FY 2022 from July 1, 2021 through May 31, 2022 and pledges to increase awareness of pedestrian safety laws.

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

RESOLUTION R.275-042022

**AUTHORIZING A REIMBURSEMENT TO
AAA All Service, Inc. T/A Ken's Plumbing
Overpayment of False Alarm Fees**

WHEREAS, AAA All Services, T/A Ken's Plumbing, operates at business at 1606 Lincoln Highway, Edison, NJ, and they have a burglar alarm on these premises; and

WHEREAS, in accordance with the Code of The Township of Edison, burglar and fire alarms must be registered with the Township; and

WHEREAS, on or about November 1, 2021, the Township of Edison issued an invoice for the initial alarm registration fee of Twenty Dollars (\$20.00) for 1606 Lincoln Highway, Edison, NJ; and

WHEREAS, The Township received three (3) separate payments from AAA All Services, T/A Ken's Plumbing between December 2, 2021 and December 17, 2021, totaling One Hundred Forty Dollars(\$140.00); and

WHEREAS, AAA All Services, T/A Ken's Plumbing has submitted a written request for their overpayment of One Hundred Twenty Dollars (\$120.00) to be refunded to them; and

NOW THEREFORE, BE IT 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 One Hundred Twenty Dollars (\$120.00) to AAA All Services, T/A Ken's Plumbing, 1606 Lincoln Highway, Edison, NJ 08817.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of One Hundred Twenty Dollars (\$120.00) are available in Account 2-01-55-0291-000-000.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.276-042022

A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SHARED SERVICES AGREEMENT WITH THE EDISON BOARD OF EDUCATION FOR THE MAINTENANCE AND USE OF CRICKET PITCHES

WHEREAS, The Board owns a series of Cricket Pitches (“Pitches”) that are, in part, utilized by the public when not otherwise needed for school district purposes;

WHEREAS, the Township provides various recreation services to the citizens of the Township of Edison through its Department of Recreation;

WHEREAS, in the spirit of inter-agency cooperation, and in furtherance of the principles underlying the Act, the Board and Township (collectively, the “Parties”) have negotiated an Agreement for the use, maintenance and operation of properties within their respective jurisdictions; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison that the Mayor and Township Clerk are hereby authorized to execute the attached Shared Services Agreement with the Edison Township Board of Education

RESOLUTION R.277-042022

**RESOLUTION AWARDING AN EMERGENCY PROFESSIONAL SERVICES CONTRACT/PURCHASE
ORDER TO ALL COVERED FOR IT SERVICES**

WHEREAS, the Township of Edison is in need of IT Services; and

WHEREAS, ALL COVERED, 7000 Commerce Parkway, Suite A, Mt. Laurel, NJ 08054, has provided IT Services for the township as an emergency since February 7th in the amount not to exceed \$43,570.00 and these services are needed to continue; and

WHEREAS, All Covered has submitted a proposal to continue IT Services until June 30, 2022 in the amount of \$37,200.00; and

WHEREAS, the prior \$43,570.00 and this resolution in the amount of \$37,200.00 will make a combined contract total amount of \$80,770.00 in a twelve month period; and

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

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

WHEREAS, the Services Contract shall not be awarded through a “fair and open process” pursuant to *N.J.S.A. 19:44A-20.4*, *et seq.*; and

WHEREAS, prior to entering into a contract, the vendor will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit the vendor from making any reportable contributions through the term of the contract; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute/process contract/Purchase Order in the amount not to exceed \$37,200.00, and any other necessary documents, with ALL COVERED, 7000 Commerce Parkway, Suite A, Mt. Laurel, NJ 08054, making a combined total amount of \$80,770.00 in a twelve month period.
2. This contract is awarded pursuant to *N.J.S.A. 40A:11-5* and *19:44A-20.5 et. seq.* and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to *N.J.S.A. 40A:11-1*, *et seq.* and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$37,200.00** are available for the above in Account No. 2-01-20-0100-001-029 subject to and contingent upon sufficient funds in the 2022 temporary and/or permanent budget.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.278-042022

AMEND TEMPORARY EMERGENCY APPROPRIATION

WHEREAS, an amendment is needed in the Temporary Emergency Appropriation resolution (Resolution R.224-042022) adopted by Township Council on April 13, 2022 to correct appropriations for the Public Employees Retirement system,

WHEREAS, this appropriation brings the 2022 year to date temporary appropriation for Current Fund to \$107,268,383.36,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Edison, County of Middlesex, New Jersey, that in accordance with N.J.S.A. 40A:4-20, an amendment to the emergency temporary appropriation resolution adopted on April 13, 2022 be and same is hereby amended in the amount of \$70,170,301.05 and that said emergency temporary appropriation shall be provided in full in the 2022 budget, as follows:

	<u>From</u>	<u>To</u>
Current Fund:		
PERS	\$2,731,127.06	\$2,121,043.97
Total Current Fund	\$70,780,384.14	\$70,170,301.05
 Sewer Utility:		
PERS	\$251,002.00	\$ - 0 -
Total Sewer Utility	\$11,422,843.50	\$11,171,841.50