

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
October 23, 2023
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 December 1, 2022 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **RESOLUTION OF RECOGNITION:**
 - Resolution recognizing Edison Domestic Violence Division for Domestic Violence Awareness Month**
 - Resolution recognizing Robert Sventy**
 - Resolution recognizing Runner High with Coach Bala**
6. **REVIEW OF MINUTES:**
 - a. Combined Meeting of September 13, 2023.
7. **REPORTS FROM ALL COUNCIL COMMITTEES:**
8. **POINTS OF LIGHT**
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through October 19, 2023
 - b. Resolution authorizing refund in the amount of \$261,647.39 for redemption of tax sale certificates.
 - c. Resolution authorizes the release certain hydrant metering deposits held by the Township submitted in connection with hydrant metering applications WHM-0003-2023.
 - d. Resolution authorizing overpayment refund caused by Successful Tax Court appeal.
10. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
 - a. Resolutions refunding of Tree Maintenance Bonds (2)

11. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
 - a. Resolutions to release Street Opening Escrow (3)
 - b. Resolution authorizing a refund for a Solid Waste Container.

12. **FROM THE DEPARTMENT OF RECREATION:**
 - a. Resolution refunding Park Fee for Bathukamma Celebration.
 - b. Resolution authorizing refunds due to event cancellation of Fall Family Spectacular.

13. **FROM THE TOWNSHIP CLERK:**
 - a. Resolution authorizing local amusement Game License to Supercharged Entertainment of Edison, LLC.
 - b. Resolution authorizing a refund of a Public Entertainment Permit Fee for the Bathukamma Celebration.

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

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

**O.2192-2023 BOND ORDINANCE PROVIDING FOR VARIOUS
CAPITAL IMPROVEMENTS IN AND BY THE
TOWNSHIP OF EDISON, IN THE COUNTY OF
MIDDLESEX, NEW JERSEY, APPROPRIATING
\$20,450,000 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$19,470,250 BONDS OR NOTES
OF THE TOWNSHIP TO FINANCE PART OF THE
COST THEREOF.**

**O.2194-2023 ORDINANCE TO ESTABLISH A PUBLIC
ADVOCATE**

16. **DISCUSSION ITEMS:**

Council President Poyner
 - a. None
Councilmember Brescher
 - a. None
Councilmember Coyle
 - a. None

Councilmember Harris

a. None

Councilmember Patel

a. None

Councilmember Patil

a. None

Councilmember Ship-Freeman

a. None

17. **ADJOURNMENT**

ITEM 9. b

RESOLUTION

Authorizing refund for redemption of tax sale certificates

WHEREAS, the Tax Collector of the Township of Edison, Donna Bobik, 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 \$ **261,647.39**.

OCTOBER 25, 2023

ITEM 9. C

RESOLUTION R.XXX-102023

EXPLANATION: This resolution authorizes the release of certain hydrant metering deposits held by the Township submitted in connection with hydrant metering applications WHM-0003-2023.

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

WHEREAS, EWMA, LLC. (the “**Applicant 0001**”) provided a \$5,000.00 deposit (the “**Deposit 0001**”) in connection with Hydrant Meter Application WHM-0003-2023 (the “**Application 0001**”); and

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

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

WHEREAS, the Township seeks to issue \$575.63 from Deposit 0001 to the Township Water Department for the payment of charges calculated in connection with Application 0001; and

WHEREAS, the Township seeks to return a portion of Deposit 0003 to Applicant 0001 in the amount of \$4,424.37 and

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The appropriate Township official is hereby authorized to execute all necessary paperwork in the release a portion of Deposit 0001 to EWMA, LLC (Applicant 0001) in the amount of \$4,424.37 and a portion of the Deposit 0001 to the Township Water Department in the amount of \$575.63 for the payment of charges calculated in connection with Application 0001.
3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
4. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.

Item 9. D

RESOLUTION

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 **\$ 14,494.92**, 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 **\$14,494.92**.
 - 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.

ITEM 10. A.

RESOLUTION

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Global Builders LLC, having an address at 15 Sunset Avenue, Edison, NJ 08820 for 21 Ramsey Road, Edison, 08820, Permit 18-093, Account # TP191023GL, Subaccount# 68392303.

WHEREAS, on October 22, 2019, Global Builders LLC posted Tree Maintenance Bond fees in the amount of \$3750.00 on deposit with the Township of Edison in account # TP191023GL, subaccount# 68392303, 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 21 Ramsey Road, Block 1004, Lot 21, Edison, NJ, 08820;

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

WHEREAS, a certificate of occupancy was issued on August 29, 2019.

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$3750.00 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 \$3750.00 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 \$3750.00, plus any accrued interest as applicable, on deposit in account # TP191023GL, subaccount# 68392303, to Global Builders LLC, having an address at 15 Sunset Avenue, Edison, NJ 08820 for the referenced property at 21 Ramsey Road, Edison, NJ 08820.

ITEM 10. A.

RESOLUTION

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Vastu Construction & Properties LLC, 72 Calvert Ave East, Edison, NJ 08820, Account # TP190213VA, Subaccount# 68392178.

WHEREAS, on February 7, 2019, Vastu Construction & Properties LLC posted Tree Maintenance Bond fees in the amount of \$300.00, with Check No. 1039 of PNC Bank, on deposit with the Township of Edison in account #TP190213VA, subaccount# 68392178, 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 72 Calvert Avenue East, Block 998, Lot 7.01, Edison, NJ, 08820;

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$300.00 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 \$300.00 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 \$300.00, plus any accrued interest as applicable, on deposit in account # TP190213VA, subaccount# 68392178, to Vastu Construction & Properties LLC, having an address at 72 Calvert Avenue East, Edison, NJ 08820, for the referenced property at 72 Calvert Avenue East, Edison, NJ 08820.

Item 11. A.

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 STO0000806, to the following:

Permit Number: DEV-23-0648

Opening Location: 1 PLENGE CT

Block/Lot: 20/30.01

Applicant's Name & Address:

**DIAMOND CUSTOM BUILDERS
PO BOX 8
POMPTON PLAINS, NJ - 07444**

Initial Deposit Date: 09/08/2023

Deposit Amount: \$960.00

Paid by & refunded to:

**DIAMOND CUSTOM BUILDERS
PO BOX 8
POMPTON PLAINS, NJ - 07444**

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.

Item 11. A.

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 STO0000808, to the following:

Permit Number: DEV-23-0652

Opening Location: 3 PLENGE CT

Block/Lot: 20/30.02

Applicant's Name & Address:

**DIAMOND CUSTOM BUILDERS
PO BOX 8
POMPTON PLAINS, NJ - 07444**

Initial Deposit Date: 09/15/2023

Deposit Amount: \$1,920.00

Paid by & refunded to:

**DIAMOND CUSTOM BUILDERS
PO BOX 8
POMPTON PLAINS, NJ - 07444**

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.

ITEM 11. A

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 STO0000673, to the following:

Permit Number: DEV-22-0492

Opening Location: 5 WILLOW DR

Block/Lot: 643.25/7

Applicant's Name & Address:

**HARPREET & PUNEET SOIN
244 W SHERMAN AVE
EDISON, NJ - 08820**

Initial Deposit Date: 05/03/2022

Deposit Amount: \$2,640.00

Paid by & refunded to:

**HARPREET & PUNEET SOIN
5 WILLOW DR
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.

Item 11.b.

RESOLUTION

EXPLANATION: This resolution provides for refund of a fee for a solid waste container.

WHEREAS, on September 18, 2023, a check #1149 was posted in the total amount of \$75.00 by Varun Gupta, resident, residing at 9 Devon Road., Edison, NJ for a solid waste recycling container at his property located at 261 Prestwick Way; and

WHEREAS, on September 18, 2023, the check #1149, was received and posted in the total amount of \$75.00 by the resident; under request number 104612 and

WHEREAS, after receipt of check, it was notified by the Division of Sanitation, Department of Public Works that the residence in question belongs in a hand-tipped area and the Township does not pick up solid waste recycling of 95 gallon cans, from 261 Prestwick Way., Edison, NJ; and

WHEREAS, the Director of Public Works recommends refund of the solid waste container fee, to Varun Gupta, Owner of 261 Prestwick Way., Edison, NJ in the amount of \$75.00;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$75.00 for solid waste recycling container fee posted by Varun Gupta, Owner of 261 Prestwick Way., Edison, NJ and Resident of 9 Devon Road;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$75.00 to the Owner, Varun Gupta at 9 Devon Road, Edison, NJ 08820.

ITEM 12. A.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
KALA VEDIKA FOR THE RENTAL OF PAPAIANNI PARK**

WHEREAS Kala Vedika, the organizer for the Batukamma Cultural Celebration, made payment in the amount of \$825.00 for the rental of Papaianni Park on Sunday, October 15, 2023; and

WHEREAS Kala Vedika withdrew their application prior to the event date due to inclement weather; 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 \$825.00 to Kala Vedika, 1 Walnut Lane, Colonia, NJ 07067, which represents their rental fee for Papaianni Park.

Item 12 b.

RESOLUTION

Authorizing refunds due to event cancellation

WHEREAS, Edison Recreation's Fall Family Spectacular was cancelled on September 23, 2023 due to inclement weather, and

WHEREAS, vendors made payment to the Edison Health Department and to the Edison Fire Department for permit fees, and

WHEREAS, the Recreation Department advises that the vendors are entitled to refunds as provided on the attached listing; and

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that authorization be given to release funds to these vendors.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing totaling \$1,494.00.

ITEM 13. A.

RESOLUTION R.

AUTHORIZING LOCAL AMUSEMENT GAME LICENSE TO SUPERCHARGED ENTERTAINMENT OF EDISON, LLC

WHEREAS, Supercharged Entertainment of Edison, LLC 987 U.S. Route 1 South, Edison, New Jersey 08817 has submitted an application to the Office of the Municipal Clerk for an Amusement Games License pursuant to the Amusement Games Licensing Law (N.J.S.A. 5:8-100 et seq.) and such regulations as promulgated under Chapter 3, Office of Amusement Games Control (N.J.A.C. 13:3-1.1 et seq.) to operate at its location at 987 U.S. Route 1 South, Edison, New Jersey; and

WHEREAS, N.J.A.C. 13:3-1.13 (a) provides that no license shall be issued in any municipality unless and until the issuance thereof has been authorized by a resolution duly adopted by the municipal governing body which shall, among other things, specifically recite that the premises to be licensed is designated as a recognized amusement park in the municipality; and

WHEREAS, pursuant to Ordinance 2155-2022, which created new Licensing subsection 11-7.10 “Recognized Amusement Parks”, Chapter 11 Licensing , of the Revised Ordinances of the Township of Edison designates 987 U.S. Route 1 South, Edison, New Jersey as a Recognized Amusement Park in accordance with N.J.A.C. 13:3-1.5; and

WHEREAS, the Municipal Clerk has deemed the application of Supercharged Entertainment of Edison, LLC. Complete for 2024 license year.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that, Supercharged Entertainment of Edison, LLC. is hereby granted an Amusement Games License to operate at its location at 987 U.S. Route 1 South, Edison, New Jersey; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 13:3-1.13 (b), a certified copy of this Resolution, together with a copy of the application endorsed to show the granting of the license, shall be forwarded to the Legalized Games of Chance Control Commission within three (3) business days of the Township license being granted.

Item 13. B

RESOLUTION R.

RESOLUTION AUTHORIZING A REIMBURSEMENT TO KALA VEDIKA FOR THE PUBLIC ENTERTAINMENT PERMIT FEE FOR BATHUKAMMA CELEBRATION

WHEREAS Kala Vedika made a payment for Public Entertainment fee for the Bathukamma Celebration which was scheduled for Sunday, October 14, 2023.

WHEREAS the Bathukamma Celebration was canceled due to weather.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$1000.00 to Kala Vedika, 1 Walnut Lane, Colonia, NJ 07067, which amount represents the cost of the Permit.

ORDINANCE O.2192-2023

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$20,450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$19,470,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Edison, in the County of Middlesex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$20,450,000, including the aggregate sum of \$979,750 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and in anticipation of the receipt of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$19,470,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Police</u> : Acquisition of various equipment, including vans, pick-up trucks, surveillance towers, drones and other miscellaneous police/public safety equipment, including all related costs and expenditures incidental thereto.	\$430,000	\$409,500	5 years
b) <u>Emergency Management</u> : Purchase of a mobile command vehicle, including various communications and technology equipment to support emergency services mobile dispatch and other related equipment and appurtenances, including all related costs and expenditures incidental thereto.	\$1,075,000	\$1,023,500	5 years
c) <u>Public Works</u> : 1) Acquisition of various vehicles equipment, including dump trucks, cargo vans, utility vehicles, trailers and other mobile equipment, including all related costs and expenditures incidental thereto.	\$1,605,000	\$1,528,500	5 years
2) Various building improvements, including, but not limited to, construction and repairs, alarm systems, HVAC improvements and generators, including all work and materials necessary therefor and incidental thereto.	\$1,075,000	\$1,023,500	15 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
3) Various park improvements, including, but not limited to, renovations or new construction of various courts, fields, trails, parking, security and playgrounds, including related equipment and including all related costs and expenditures incidental thereto.	\$265,000	\$252,000	15 years
4) Construction of a new Roads Department garage, including demolition of existing structures, disposal, drainage, parking lot improvements, gas pump upgrades, miscellaneous related structures and related equipment, including all work and materials necessary therefor and incidental thereto.	\$4,886,250	\$4,653,250	30 years
d) <u>Recreation:</u> 1) Purchase and installation of lighting and sound systems in Papaiani Park, including related equipment and including all related costs and expenditures incidental thereto.	\$107,500	\$102,000	5 years
2) Various park improvements, including but not limited to turf field repairs, including all work and materials necessary therefor and incidental thereto.	\$1,075,000	\$1,021,250	10 years
e) <u>Technology:</u> 1) Purchase and installation of security cameras and surveillance systems at various municipal buildings, parks and locations throughout the Township, including related equipment and including all work and materials necessary therefor and incidental thereto	\$530,000	\$504,500	10 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
2) Purchase and installation of network infrastructure components, upgrade of telecommunications system, including purchase of equipment, desktop computers and monitors, purchase and installation of storage area network and upgrades to VMWare system, including related equipment and supplies, and including all work and materials necessary therefor and incidental thereto.	\$315,000	\$300,000	5 years
f) <u>Engineering:</u> 1) Various drainage and stormwater projects throughout the Township, including all work and materials necessary therefor and incidental thereto.	\$1,075,000	\$1,023,500	30 years
2) Paving and resurfacing of various roads throughout the Township, all as set forth on a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.	\$6,506,250	\$6,196,250	10 years
g) <u>Health Department:</u> 1) Purchase of vehicles for Animal Shelter, including SUVs and cargo vans and including all related costs and expenditures incidental thereto.	\$215,000	\$204,500	5 years
2) Purchase and installation of various furniture, fixtures and equipment for the Toth Center, including all work and materials necessary therefor and incidental thereto.	\$215,000	\$204,500	5 years
h) <u>Code Enforcement:</u> Preparation of condemnation and redevelopment program to address sites and structures in the Township which are deemed hazardous and	<u>\$1,075,000</u>	<u>\$1,023,500</u>	30 years

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
deemed to be public safety and public health concern, including use for public purpose of any property acquired through condemnation under this program and including all work and materials necessary therefor and incidental thereto.			
Totals:	<u>\$20,450,000</u>	<u>\$19,470,250</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose or the State Grant, as applicable.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing

to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15.64 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the

Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$19,470,250, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,500,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such

undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE O. 2194-2023

Public Advocate

a. There is hereby established the position of Public Advocate. The Public Advocate shall represent the interests of residents of this Township in land use hearings before the Zoning Board of Adjustment and the Planning Board (“land use boards”) in matters in which, if a development application was approved, there would be, in the judgment of the Public Advocate, a likelihood of a detrimental impact on the health, safety, quality of life or property values of residents, subject to paragraph g., below.

b. In order to assert the interest of residents in land use board hearings, the Public Advocate is empowered to retain the services of experts to assist in evaluating development applications and to provide expert testimony at land use hearings.

c. The Public Advocate shall be a member of the New Jersey bar, selected by the Township Council for a one-year term, who is knowledgeable in New Jersey land use law. The Township Council shall select one or more attorneys to serve as an alternate Public Advocate in matters in which the Public Advocate is precluded from participating in a land use matter because of a conflict of interest. The Township Council shall select a Public Advocate within 90 days of the passage of this ordinance.

d. To assist the Public Advocate in evaluating whether a development application should trigger Public Advocate representation, there shall be a Residents' Advisory Committee. Initially, the Committee shall consist of five public members of the Council's public advocate study committee, plus an alternate member designated by the five initial members of the Committee. Within 180 days of the passage of this ordinance, an additional two members and two alternate members shall be designated in such manner as the Residents' Advisory Committee may determine, subject to the consent of the Council. Terms shall be for three years expiring on June 30, except that certain initial terms shall be for shorter periods such that, as nearly as possible, one third of the terms shall expire each year. A member of the Committee whose term has expired may continue to serve on a holdover basis. A vacancy shall be filled by an alternate member

as determined by the remaining members of the Committee. The Committee shall designate one of its members to serve as secretary of the Committee.

e. If a land use board renders a decision that, in the judgment of the Public Advocate, is 1) detrimental to the health, safety, quality of life or property values of residents, and 2) legally flawed, the Public Advocate is empowered to appeal such decision to an administrative agency, if applicable, or, in the case of a use variance, to the Township Council, or, in any appropriate case, to a court of competent jurisdiction.

f. Each land use board shall provide the Public Advocate and each member of the Residents' Advisory Committee, on a timely basis, with a digital copy of each development application submitted to such board. For each such development application, the secretary of the Committee shall record the opinion of each member of the Committee as to whether the proposed development is or is not likely to result in a detrimental impact on the health, safety, quality of life or property values of residents; and the secretary shall transmit those opinions to the Public Advocate.

g. The Public Advocate shall not intervene in any matter which, in the opinion of a majority of the full members of the Residents' Advisory Committee, is not likely to have a detrimental impact on the health, safety, quality of life or property values of residents.

h. The initial appropriation for the remaining portion of Fiscal Year 2023 shall be \$25,000. Thereafter, the Mayor and Township Council shall allocate sufficient funds to enable the Public Advocate to adequately and effectively represent the interests of the residents. The Public Advocate shall submit to the Department of Law, on not less than a monthly basis, invoices for work performed by the Public Advocate and by professionals retained by the Public Advocate.