

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
MONDAY, NOVEMBER 13, 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. **REVIEW OF MINUTES:**
 - a. Combined Meeting of September 27, 2023
 - b. Worksession Meeting of October 23, 2023
5. **ADMINISTRATIVE AGENDA:
FROM MAYOR SAM JOSHI:**
 - a. Appointment of Dipti Vaid Dedhia, as Presiding Judge.
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution Awarding Contract/Purchase Order(S) to Various Vendors for the Furnishing of Walk-In Building Supplies and Related Products (\$497,000.00) (Resolution R.622-112023)
 - b. Resolution accepting Bid and Awarding a Contract to W.B. Mason for Office Supplies (not to exceed \$215,800.00) (Resolution R.623-112023)
 - c. This Resolution increases the Permissible Expenditures for the Professional Services Contract Awarded to Rainone Coughlin Minchello for Municipal Attorney for March 1, 2023 – December 31, 2023(not to exceed \$250,000.00) (Resolution R.624-112023)
 - d. Resolution Awarding Contract/Purchase Order(S) to CDW Government Incorporated through The Educational Services Commission of New Jersey Cooperative Pricing System for the Purchase of Various Technology Supplies and Services (\$50,000.00) (Resolution R.625-112023)
 - e. Resolution Awarding Contract/Purchase Order(S) to Verizon Wireless for the Furnishing of Cellular Phone Services, Wireless Cards and Accessories (not to exceed \$220,000.00) (Resolution R.626-112023).

- f. Resolution authorizing the submission of an application to the New Jersey Department of Transportation's Safe Routes to School Program. (Resolution R.658-112023)
- g. Resolution Authorizing the Award of a Fair and Open Contract To Remington & Vernick Engineers for Edison Landfill Engineer Consulting (not to exceed \$250,000.00) (R.657-112023)
- h. An Ordinance establishing the not-to-exceed salaries of certain officers, department heads and employees of the Township. (Ordinance O.2197-2023)

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

- a. Report of Disbursements through November 8, 2023 (Resolution R.613-112023)
- b. Resolution authorizing refund in the amount of \$117,108.78 for redemption of Tax Sale certificates (Resolution R.614-112023)
- c. Resolution authorizing refund for Tax Overpayments totaling \$2,127.01(Resolution R.615-112023)
- d. Resolution authorizing refund for Water Overpayments totaling, \$409.30 (Resolution R.616-112023)
- e. Resolution authorizing refund for Sewer Overpayments totaling, \$568.69 (Resolution R.617-112023)
- f. Resolution requesting approval of the Best Practices Inventory Questionnaire for Calendar Year 2023 (Resolution R.618-112023)
- g. Resolution requesting approval of Items of Revenue and Appropriation as per N.J.S.A 40A:4-87 (Chapter 159) for 2002 Drive Sober or Get Pulled Over – Labor Day Crackdown in the amount of \$8,750.00 (Resolution R.619-112023)
- h. This Resolution authorizes the settlement of Tax Appeals filed by 510 Venture, LLC by Bergman Realty Corporation for the Tax Years 2018, 2019, 2020, 2022 and 2023 (Resolution R.620-112023)
- i. This Resolution authorizes the settlement of Tax Appeals filed by Wick Shopping Plaza Associates, LLC for the Tax Years 2021, 2022 and 2023 (Resolution R.621-112023)
- j. Ordinance of the Township of Edison, in the County Of Middlesex, New Jersey Cancelling \$1,945,740.71 in Bond Authorizations and/or Bond or Bond Anticipation Note Proceeds not needed for their original purposes and to Transfer \$671,327.77 in Bond or Bond Anticipation Note proceeds to Capital Fund Balance.(O.2197-2023)
- k. Resolution authorizing the transfers of funds in the Calendar Year 2023 Current Fund Appropriations pursuant to N.J.S.A. 40A:4-59 (Resolution R.660-112023)

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

- a. Resolution Awarding Contract/Purchase Order to Shi International Corporation for HIPPA Compliant Software for the Health Department (\$205,170.00) (Resolution R.627-112023)

- b. Resolution Authorizing a Professional Services Contract to People for Animals for Veterinary Services/Clinics (\$60,000.00) (Resolution R.628-112023)
- c. Resolution Awarding an Emergency Contract/Purchase Order to Consolidated Steel & Aluminum Fence Co. Inc. for the installation of Outdoor Kennels due to overcrowding (\$84,840.56) (Resolution R.629-112023)

11. FROM THE DEPARTMENT OF LAW:

- a. A Resolution Authorizing the Mayor to enter into A Shared Services Agreement for Elevator Safety Subcode Services with the Township of Woodbridge (Resolution R.656-112023)
- b. An Ordinance Amending Chapter 37, "Zoning," By Amending The Following Subsections: 1) §37-3.1, Word Usage, "Definitions;" 2) §37-32.2, R-I-1 Restricted Industrial District, "Permitted Uses;" 3) §37-33.1 L-I Light Industrial District, "Permitted Uses;" 4) §37-33.8 L-I Light Industrial District, "Prohibited Uses;" 5) §37-38.1 RRRD Raritan River Revitalization District, "Permitted Uses, And 6) §37-38.8 RRRD, Raritan River Revitalization District, "Prohibited Uses."(Ordinance O.2196-2023)
- c. Resolution Authorizing and Directing the Planning Board of the Township of Edison to conduct a preliminary investigation to determine whether the Proposed Study Area, which Includes The Properties Identified on the Official Tax Maps of the Township as Block 340, Lots 1.02, 1.30, and 2.01 (A/K/A 41 Glendale Avenue) qualify as a Condemnation Area In Need of Redevelopment In accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40a:12a-1 *Et. Seq.*(Resolution R.659-112023)

12. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

- a. Resolution Refunding In-House Engineering Inspection Fees to We Buy and Sell Properties, LLC, 1024 Amboy Avenue, Edison, NJ 08837, For 125 Highland Avenue, Edison, NJ 08817, SIP 22-115, Account # EI220805WE, Subaccount # 68392723. (Resolution R.630-112023)
- b. Resolution Authorizing Change Order # 2 For Public Bid No. 23-30-04 with Shorelands Construction Inc. for the Toth Health & Senior Center Renovation (\$99,112.00 to a total amended contract amount of \$5,409,962.00) (Resolution R.631-112023)
- c. Resolution Refunding Cash Performance – Receipt of Maintenance Bond, to Anthony N. Acello, for 1031-1043 Amboy Avenue. Application # P2-2018 in account # CP210708AN, subaccount# 68392572. (Resolution R.632-112023)
- d. Resolution Authorizing the Use of Competitive Contracting for a Construction Manager for the Edison Sports Building Project. (633-112023)
- e. Resolution Releasing of Cash Maintenance Bond to B & B Mc Entee Construction Company, LLC for Lotito Foods, 220-240 Carter Drive, on

- Site Improvements Under Application No. 20-2019, in Account # CP210301LO, Subaccount # 68392504. (Resolution R.653-112023)
- f. Resolution Releasing of Cash Maintenance Bond to Factory Direct Enterprises, LLC, for Ashley Furniture on Site Improvements under Application No. P3-2010, in account # CP210802AS, subaccount# 68392576. (Resolution R.654-112023)

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

- a. Resolution to release Street Open Escrows (4) (Resolution R.634-112023 through R.637-112023)
- b. Resolution amending R.504-082023 Rejection of All Bids for Garbage/Refuse Truck Chassis (Resolution R.638-112023)
- c. Resolution accepting Bid and Awarding a Contract to H.A. Dehart & Son Inc. For Landscape Trailers (\$142,271.00) (Resolution R.639-112023)
- d. Resolution Authorizing Contract/Purchase Order for One (1) New and Unused 2023 or Newer Utility Truck with Options (\$139,571.25) (Resolution R.640-112023)
- e. Resolution Authorizing Contract/Purchase Orders For Van Upgrades, Plows and Spreaders for the Department Of Public Works (\$107,090.32) (Resolution R.641-112023)
- f. Resolution Authorizing Contract/Purchase Order for two (2) New And Unused 2025 Or Newer Rear Load Garbage Truck With Options (\$673,179.76) (Resolution R.642-112023)
- g. Resolution Authorizing Contract/Purchase Order for One (1) New and Unused 2025 or Newer Mechanic Service Truck With Options (\$332,218.63) (Resolution R.643-112023)
- h. Resolution awarding Contract/Purchase Order(S) to Storr Tractor Company for the Purchase of Three (3) Lawnmowers (\$164,723.94) (Resolution R.644-112023)
- i. Resolution Authorizing the Purchase of Two (2) New and Unused 2024 or Newer One Arm Side Load Garbage Trucks With Options (\$908,541.04) (Resolution R.645-112023)
- j. Resolution authorizing revision to the Purchase of Two (2) New and Unused 2023 or Newer Bucket Truck Bodies With Options (\$43,996.00) (Resolution R.646-112023)

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

- a. Resolution awarding payment to various Non-Profit Organizations for League Recreational Services funding Sports (\$228,432.50) (Resolution R.647-112023)
- b. Resolution setting Hut/Vendor Space rental fees for the Winter Wonderland & Marketplace Event (Resolution R.648-112023)

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

- a. Approval of Volunteer Fire Fighter

- b. Resolution accepting Bid and Awarding a Contract To Absolute Fire Protection Company Inc. for Emergency Vehicle Repairs (\$300,000.00) (Resolution R.649-112023)
- c. Resolution accepting bid and awarding contracts for Public Bid #23-05-18 Fire Department Equipment and tools (2 – Vendors total not to exceed \$128,000.00) (Resolution R.650-112023 & R.651-112023)

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

- a. Resolution Awarding Contract/Purchase Order(S) to Malouf Ford for the Furnishing of Automotive Maintenance and Repairs for the Township of Edison (\$75,000.00) (Resolution R.652-112023)
- b. FY23HTS Mobilization 2023 Drive Sober or Get Pulled Over year End Holiday Crackdown Grant Application. (Resolution R.655-112023)

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

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

**O.2194-2023 AN ORDINANCE AMENDING AND
SUPPLEMENTING THE CODE OF THE TOWNSHIP
OF EDISON AND ESTABLISHING THE POSITION
OF PUBLIC ADVOCATE**

19. **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

20. **APPROVAL OF MINUTES:**

- a. Combined Meeting of September 27, 2023
b. Worksession Meeting of October 23, 2023

21. **RESOLUTION OF RECOGNITION:**

Resolution R.596-102023 – Recognizing Robert Sventy

22. **APPROVAL OF VOLUNTEER FIREFIGHTER:**

Raritan Engine Company #1
Dennis S. Chekenian

23. **COUNCIL PRESIDENT'S REMARKS**

24. **ADMINISTRATIVE AGENDA:
FROM MAYOR SAM JOSHI:**

- a. Appointment of Dipti Vaid Dedhia, as Presiding Judge.

25. **UNFINISHED BUSINESS:**

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

**O.2194-2023 AN ORDINANCE AMENDING AND
SUPPLEMENTING THE CODE OF THE TOWNSHIP
OF EDISON AND ESTABLISHING THE POSITION
OF PUBLIC ADVOCATE**

26. **NEW BUSINESS:**

**PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR NOVEMBER
29, 2023.**

**O.2195-2023 AN ORDINANCE AMENDING CHAPTER 37,
“ZONING,” BY AMENDING THE FOLLOWING
SUBSECTIONS: 1) §37-3.1, WORD USAGE,
“DEFINITIONS;” 2) §37-32.2, R-I-1 RESTRICTED
INDUSTRIAL DISTRICT, “PERMITTED USES;” 3)**

§37-33.1 L-I LIGHT INDUSTRIAL DISTRICT, “PERMITTED USES;” 4) §37-33.8 L-I LIGHT INDUSTRIAL DISTRICT, “PROHIBITED USES;” 5) §37-38.1 RRRD RARITAN RIVER REVITALIZATION DISTRICT, “PERMITTED USES, AND 6) §37-38.8 RRRD, RARITAN RIVER REVITALIZATION DISTRICT, “PROHIBITED USES.”

O.2196-2023 ORDINANCE OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY CANCELLING \$1,945,740.71 IN BOND AUTHORIZATIONS AND/OR BOND OR BOND ANTICIPATION NOTE PROCEEDS NOT NEEDED FOR THEIR ORIGINAL PURPOSES AND TO TRANSFER \$671,327.77 IN BOND OR BOND ANTICIPATION NOTE PROCEEDS TO CAPITAL FUND BALANCE.

O.2197-2023 AN ORDINANCE ESTABLISHING THE NOT-TO-EXCEED SALARIES OF CERTAIN OFFICERS, DEPARTMENT HEADS AND EMPLOYEES OF THE TOWNSHIP.

27. **PUBLIC COMMENT ON THE RESOLUTIONS**

28. **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.613-112023 Resolution approving disbursements for the period ending, November 8, 2023.

R.614-112023 Resolution authorizing refund in the amount of \$117,108.78 for redemption of tax sale certificates.

R.615-112023 Resolution authorizing refund of tax overpayments, totaling \$2,127.01.

R.616-112023 Resolution authorizing refund for Water Overpayments totaling, \$409.30.

R.617-112023 Resolution authorizing refund for Sewer Overpayments totaling, \$568.69.

R.618-112023 Resolution requesting approval of the Best Practices Inventory Questionnaire for Calendar Year 2023.

R.619-112023 Resolution requesting approval of Items of Revenue and Appropriation as per N.J.S.A 40A:4-87 (Chapter 159) for 2002 Drive Sober or Get Pulled Over – Labor Day Crackdown in the amount of \$8,750.00.

- R.620-112023 This Resolution authorizes the settlement of Tax Appeals filed by 510 Venture, LLC by Bergman Realty Corporation for the Tax Years 2018, 2019, 2020, 2022 and 2023.
- R.621-112023 This Resolution authorizes the settlement of Tax Appeals filed by Wick Shopping Plaza Associates, LLC for the Tax Years 2021, 2022 and 2023.
- R.622-112023 Resolution Awarding Contract/Purchase Order(S) to Various Vendors for the Furnishing of Walk-In Building Supplies and Related Products in an amount not to exceed \$497,000.00.
- R.623-112023 Resolution accepting Bid and Awarding a Contract to W.B. Mason for Office Supplies in an amount not to exceed \$215,800.00.
- R.624-112023 This Resolution increases the Permissible Expenditures for the Professional Services Contract Awarded to Rainone Coughlin Minchello for Municipal Attorney for March 1, 2023 – December 31, 2023 in an amount not to exceed \$250,000.00.
- R.625-112023 Resolution Awarding Contract/Purchase Order(S) to CDW Government Incorporated through The Educational Services Commission of New Jersey Cooperative Pricing System for the Purchase of Various Technology Supplies and Services in the amount of \$50,000.00.
- R.626-112023 Resolution Awarding Contract/Purchase Order(S) to Verizon Wireless for the Furnishing of Cellular Phone Services, Wireless Cards and Accessories in an amount not to exceed \$220,000.00.
- R.627-112023 Resolution Awarding Contract/Purchase Order to Shi International Corporation for HIPPA Compliant Software for the Health Department in the amount of \$205,170.00.
- R.628-112023 Resolution Authorizing a Professional Services Contract to People For Animals for Veterinary Services/Clinics in the amount of \$60,000.00.
- R.629-112023 Resolution Awarding an Emergency Contract/Purchase Order to Consolidated Steel & Aluminum Fence Co. Inc. for the installation of Outdoor Kennels due to overcrowding in the amount of \$84,840.56.
- R.630-112023 Resolution Refunding In-House Engineering Inspection Fees to We Buy and Sell Properties, LLC, 1024 Amboy Avenue, Edison, NJ 08837, For 125 Highland Avenue, Edison, NJ 08817, SIP 22-115, Account # EI220805WE, Subaccount # 68392723.
- R.631-112023 Resolution Authorizing Change Order # 2 For Public Bid No. 23-30-04 with Shorelands Construction Inc. for the Toth Health & Senior Center Renovation (\$99,112.00 to a total amended contract amount of \$5,409,962.00)
- R.632-112023 Resolution Refunding Cash Performance – Receipt of Maintenance Bond, to Anthony N. Acello, for 1031-1043 Amboy Avenue. Application # P2-2018 in account # CP210708AN, subaccount# 68392572.
- R.633-112023 Resolution Authorizing the Use of Competitive Contracting for a

- Construction Manager for the Edison Sports Building Project.
- R.634-112023 Resolution to release Street Open Escrow for Permit No. DEV-23-0479, 45 Dellwood Road, aka Block 643.19, Lot 17.01 in the amount of \$3,400.00.
- R.635-112023 Resolution to release Street Open Escrow for Permit No. DEV-23-0650, 67 Beechwood Avenue, aka Block 690.17, Lot 7 in the amount of \$1,200.00.
- R.636-112023 Resolution to release Street Open Escrow for Permit No. DEV-23-0668, 8 Mulberry Lane, aka block 593.21, Lot 9 in the amount of \$2,160.00.
- R.637-112023 Resolution to release Street Open Escrow for Permit No. DEV-22-0525k, 5 Farrington Street, aka Block 490.08, Lot 10 in the amount of \$2,960.00.
- R.638-11203 Resolution amending R.504-082023 Rejection of All Bids for Garbage/Refuse Truck Chassis.
- R.639-112023 Resolution accepting Bid and Awarding a Contract to H.A. Dehart & Son Inc. For Landscape Trailers in the amount of \$142,271.00.
- R.640-112023 Resolution Authorizing Contract/Purchase Order for One (1) New and Unused 2023 Or Newer Utility Truck With Options in h the amount of \$139,571.25.
- R.641-112023 Resolution Authorizing Contract/Purchase Orders for Van Upgrades, Plows and Spreaders for the Department Of Public Works in the amount of \$107,090.32.
- R.642-112023 Resolution Authorizing Contract/Purchase Order for two (2) New And Unused 2025 Or Newer Rear Load Garbage Truck With Option in the amount of \$673,179.76.
- R.643-112023 Resolution Authorizing Contract/Purchase Order for One (1) New and Unused 2025 or Newer Mechanic Service Truck With Options in the amount of \$332,218.63.
- R.644-112023 Resolution awarding Contract/Purchase Order(S) to Storr Tractor Company for the Purchase of Three (3) Lawnmowers in the amount of \$164,723.94.
- R.645-112023 Resolution Authorizing the Purchase of Two (2) New and Unused 2024 or Newer One Arm Side Load Garbage Trucks With Options in the amount of \$908,541.04.
- R.646-112023 Resolution authorizing revision to the Purchase of Two (2) New and Unused 2023 or Newer Bucket Truck Bodies With Options in the amount of \$43,996.00.
- R.647-112023 Resolution awarding payment to various Non-Profit Organizations for League Recreational Services funding Sports in the amount of \$228,432.50.
- R.648-112023 Resolution setting Hut/Vendor Space rental fees for the Winter Wonderland & Marketplace Event.
- R.649-112023 Resolution accepting Bid and Awarding a Contract To Absolute Fire Protection Company Inc. for Emergency Vehicle Repairs on an amount not to exceed \$300,000.00.

- R.650-112023 Resolution accepting bid and awarding contracts for Public Bid #23-05-18 Fire Department Equipment and tools to Campbell Supply Company, LLC in the an amount not to exceed \$18,000.00.
- R.651-1120123 Resolution accepting bid and awarding contracts for Public Bid #23-05-18 Fire Department Equipment and tools to Continental Fire & Safety, Inc. in an amount not to exceed \$110,000.00.
- R.652-112023 Resolution Awarding Contract/Purchase Order(S) to Malouf Ford for the Furnishing of Automotive Maintenance and Repairs for the Township of Edison in \$75,000.00.
- R.653-112023 Resolution Releasing of Cash Maintenance Bond to B & B Mc Entee Construction Company, LLC for Lotito Foods, 220-240 Carter Drive, on Site Improvements Under Application No. 20-2019, in Account # CP210301LO, Subaccount # 68392504.
- R.654-112023 Resolution Releasing of Cash Maintenance Bond to Factory Direct Enterprises, LLC, for Ashley Furniture on Site Improvements Under Application No. P3-2010, in account # CP210802AS, subaccount# 68392576.
- R.655-112023 FY23HTS Mobilization 2023 Drive Sober or Get Pulled Over year End Holiday Crackdown Grant Application.
- R.656-112023 Resolution Authorizing the Mayor to enter into A Shared Services Agreement for Elevator Safety Subcode Services with the Township of Woodbridge.
- R.657-12023 Resolution Authorizing the Award of a Fair and Open Contract to Remington & Vernick Engineers for Edison Landfill Engineer Consulting in an amount not to exceed \$250,000.00.
- R.658-112023 Resolution authorizing the submission of an application to the New Jersey Department of Transportation's Safe Routes to School Program.
- R.659-112023 Resolution Authorizing and Directing the Planning Board of the Township of Edison to conduct a preliminary investigation to determine whether the Proposed Study Area, which Includes The Properties Identified on the Official Tax Maps of the Township as Block 340, Lots 1.02, 1.30, and 2.01 (A/K/A 41 Glendale Avenue) qualify as a Condemnation Area In Need of Redevelopment In accordance with the Local Redevelopment and Housing Law, N.J.S.A.40a:12a-1 Et. Seq.(Resolution R.659-112023)
- R.660-112023 Resolution authorizing the transfers of funds in the Calendar Year 2023 Current Fund Appropriations pursuant to N.J.S.A. 40A:4-59.

29. **CLOSED SESSION:**

- a. Litigation Matters

30. **ORAL PETITIONS AND REMARKS**

31. **ADJOURNMENT**

ORDINANCE O. 2194-2023

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE
TOWNSHIP OF EDISON AND ESTABLISHING THE POSITION OF PUBLIC
ADVOCATE**

BE IT ORDAINED, by the Township Council of the Township of Edison that the Code of the Township of Edison is hereby amended and supplemented as follows:

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.

BE IT FURTHER ORDAINED that this ordinance shall take effect following adoption and approval in a time and manner prescribed by law.

ORDINANCE NO. O.2195-2023

AN ORDINANCE AMENDING CHAPTER 37, “ZONING,” BY AMENDING THE FOLLOWING SUBSECTIONS: 1) §37-3.1, WORD USAGE, “DEFINITIONS;” 2) §37-32.2, R-I-1 RESTRICTED INDUSTRIAL DISTRICT, “PERMITTED USES;” 3) §37-33.1 L-I LIGHT INDUSTRIAL DISTRICT, “PERMITTED USES;” 4) §37-33.8 L-I LIGHT INDUSTRIAL DISTRICT, “PROHIBITED USES;” 5) §37-38.1 RRRD RARITAN RIVER REVITALIZATION DISTRICT, “PERMITTED USES, AND 6) §37-38.8 RRRD, RARITAN RIVER REVITALIZATION DISTRICT, “PROHIBITED USES.”

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

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

WHEREAS, on September 7, 2022, the State of New Jersey Planning Commission, under the Office of Planning Advocacy, adopted guidelines and recommendations pertaining to warehouse development to facilitate greater cooperation and coordination among local governments, their counties, and their regions titled “Distribution Warehousing and Goods Movement Guidelines” (hereinafter referred to as “State Warehouse Guidelines”); and

WHEREAS, the State Warehouse Guidelines states “Given the scale and intensity of new and emerging warehousing trends and building types, zoning that simply permits generic warehousing may not be sufficient to address the different types of warehousing uses...;” and

WHEREAS, the State Warehouse Guidelines also recommends “Zoning should evolve to keep up with the changing variety of uses and trends (including definitions) as the differences could mean dramatically different impacts and outcomes, and whether a project is compatible with a site and beneficial to a community;” and

WHEREAS, pursuant to N.J.S.A. 40:55D-68 and §37-66.3 of the Township Code, nonconforming uses as established by any new zoning ordinance shall be permitted to remain in operation and in use, subject to the conditions as established in each respective legislation; and

WHEREAS, the Township has a desire in establishing zoning guidelines which promotes for the public health and general welfare of the municipality; and

WHEREAS, the Township desires to amend the following subsections of Chapter 37, “Zoning,” to add certain definitions to clarify types of proposed uses that warehouse structures may be classified as and to identify certain category of warehouses to promote for the general welfare of Township residents:

- §37-3.1, Word Usage, “Definitions”
- §37-32.2, R-I-1, Restricted Industrial District, “Permitted Uses”

- §37-33.1, L-I, Light Industrial District, “Permitted Uses”
- §37-33.8, L-I, Light Industrial District, “Prohibited Uses”
- §37-38.1, RRRD, Raritan River Revitalization District, “Permitted Uses;” and
- §37-38.8, RRRD, Raritan River Revitalization District, “Prohibited Uses.”

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

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the Township of Edison, in the County of Middlesex, State of New Jersey amend Chapter 37, “Zoning” of the Code as follows:

Deletions are noted by ~~strikethrough~~

Additions are indicated by **bold underline**

Language that remains unchanged is not highlighted in anyway.

SECTION I

§37-3 WORD USAGE.

§37-3.1 Definitions

[no change those definitions from Accessory Apartment through Deck]

DISTRIBUTION CENTER

Means those facilities engaged in the receipt, storage and distribution of goods, products, cargo and materials, including trans-shipment by boat, rail, air or motor vehicle. Distribution Center shall not include fulfillment center(s).

[no change to definition for Entertainment]

E-COMMERCE

Also known as electronic commerce, e-commerce shall mean the buying and selling of goods and services through online consumer services on the internet.

[no changes to definitions for Family, Farm, Floor Area, and Freestanding Telecommunications Tower]

FULFILLMENT CENTER

Means any facility involved in the receipt of products and the storage, separation, repurposing, breakup, assembly, or distribution of said products on an individual basis to individual end user consumers (not including retail). This includes e-commerce activities.

[no changes to those definitions from Gasoline Station or Automobile Service Station through Truck Depot]

Truck/Van Terminal

Means an area and buildings where trucks or vans load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation. Truck or van terminals are transshipment facilities which include ancillary storage facilities and parking areas for trucks awaiting cargo and may include facilities for servicing of trucks or vans.

[no changes to those definitions from Use through Variance].

Warehouse

Means a facility designed for the short or long term storage of goods and materials having restricted access to the general public. Such use shall not include repackaging, repurposing, breakup, or assembly of products. Warehouse shall not include fulfillment center(s).

[no changes to those definitions from Yard through Zoning Permit]

SECTION II

§37-32 R-I-1 RESTRICTED INDUSTRIAL DISTRICT

§37-32.2 Permitted Uses

[no changes to a., b., and c.]

d. Warehousing facilities, excluding distribution and fulfillment centers, for products or materials, excluding hazardous, toxic, flammable and corrosive substances;

[no changes to e., f., g., h., i., and j.]

k. any property, development, use, or site development standard made nonconforming by the adoption of Ordinance No. O- -2023 shall be considered conforming and shall be subjected to the zoning requirements applicable prior to the adoption of 1999 Code §17.60.020.

SECTION III

§37-33 L-I LIGHT INDUSTRIAL DISTRICT

§37-33.1 Permitted Uses

No building, structure or premises shall be used and no building or structure shall be erected or structurally altered except for the following uses or a use or building similar or equivalent:

[no changes to a., b., and c.]

d. Warehousing-distribution facilities, **excluding fulfillment centers** for products or materials but not including truck terminals as defined herein.

[no changes to e., f., g., h., i., j., and k.]

§37-33.8 Prohibited Uses

[no changes to a., b., c., d., e., f., and g.]

g. Truck/**Van** terminals;

h. Fulfillment Center

i. **any property, development, use, or site development standard made nonconforming by the adoption of Ordinance No. O-_____ -2023 shall be considered conforming and shall be subject to the zoning requirements applicable prior to the adoption of 1999 Code §17.60.020.**

SECTION IV

§37-38 RRRD Raritan River Revitalization District

§37-38.1 Permitted Uses

No building, structure or premises shall be used and no building or structure shall be erected or structurally altered except for the following uses or a use or building similar or equivalent:

[no changes to a., b., c., and d.]

e. Warehousing-distribution facilities, **including e-commerce and fulfillment centers** for products or materials but not including truck terminals as defined herein;

[no changes to f., g., h., i., j., k., l., m., n., o., p., and q.]

§37-38.8 Prohibited Uses

[no changes to a., b., c., d., e., f.]

g. Truck/**Van** terminals.

[no change to h.]

- i. any property, development, use, or site development standard made nonconforming by the adoption of Ordinance No. O- -2023 shall be considered conforming and shall be subjected to the zoning requirements applicable prior to the adoption of 1999 Code §17.60.020.

SECTION V

SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION VI

REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION VII

EFFECTIVE DATE. This ordinance shall take effect immediately upon this passage and publication in accordance with the law.

ORDINANCE O.2196-2023

ORDINANCE OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY CANCELLING \$1,945,740.71 IN BOND AUTHORIZATIONS AND/OR BOND OR BOND ANTICIPATION NOTE PROCEEDS NOT NEEDED FOR THEIR ORIGINAL PURPOSES AND TO TRANSFER \$671,327.77 IN BOND OR BOND ANTICIPATION NOTE PROCEEDS TO CAPITAL FUND BALANCE

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:

It is hereby determined that certain bond authorizations and/or bond or bond anticipation note proceeds in the aggregate amount of \$1,945,740.71 provided for in the various ordinances listed below are no longer needed for the purposes referenced therein. The Township of Edison, in the County of Middlesex, New Jersey (the “Township”) desires, therefore, to cancel the following bond authorizations:

<u>Bond Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Bond/Note Funded Amount</u>	<u>Unfunded Amount</u>	<u>Amount to be Cancelled</u>
1253-2001	The Amboy Avenue Revitalization Project, finally adopted on May 9, 2001.	\$0	\$109,747.02	\$109,747.02
1372-2003	The Amboy Avenue Revitalization Project, finally adopted on July 23, 2003.	\$0	\$339,000.00	\$339,000.00
1452-2005	Various capital improvements, finally adopted on January 26, 2005.	\$0	\$20,761.25	\$20,761.25
1468-2005	Various capital improvements, finally adopted on September 15, 2005.	\$227,792.81	\$15.14	\$227,807.95
1565-2007	Various capital improvements, finally adopted on April 11, 2007.	\$68,279.90	\$0	\$68,279.90
1616-2008	Various capital improvements, finally adopted on April 28, 2008.	\$0	\$211,770.88	\$211,770.88

1783-2011	Refunding of an emergency appropriation for the payment of amounts owing to others for taxes levied by the Township, finally adopted on December 28, 2011.	\$18,247.29	\$593,118.65	\$611,365.94
1817-2012	Various capital improvements, finally adopted on December 26, 2012.	\$213,511.00	\$0	\$213,511.00
1872-2014	Various capital improvements, finally adopted on July 23, 2014.	\$120,876.50	\$0	\$120,876.50
1894-2015	Refunding for the payment of amounts owing to others for taxes levied by the Township, finally adopted on January 28, 2015.	\$22,491.19	\$0	\$22,491.19
1895-2015	The acquisition of vehicles and equipment for the Department of Public Works, finally adopted on February 25, 2015.	\$129.08	\$0	\$129.08
	Total	\$671,327.77	\$1,274,412.94	\$1,945,740.71

The aggregate amount of \$671,327.77, which represents the funded debt authorizations in the applicable bond ordinances listed in the above referenced chart is hereby transferred to Capital Fund Balance.

The aggregate amount of \$1,274,412.94, which represents the unfunded debt authorization in the bond ordinances referred to above, is hereby cancelled. The chief financial officer of the Township is hereby authorized and directed to take any and all action necessary to modify or amend one or more supplemental debt statements of the Township or the annual debt statement of the Township to reflect the cancellation pursuant to this ordinance of bonds and/or notes authorized.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE O.2197-2023

EXPLANATION: An Ordinance establishing the not-to-exceed salaries of certain officers, department heads and employees of the Township.

WHEREAS, the municipal council (“Municipal Council”) of the Township of Edison (“Township”) seeks to establish the not-to-exceed salaries of certain officers, department heads and employees of the Township.

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

Section 1. The not-to-exceed salary(ies) for the following positions shall be as follows:

SALARY RANGE FOR PRESENT JOB TITLES UNCLASSIFIED EMPLOYEES			
	<i>TITLE</i>	<i>RANGE-LOW</i>	<i>RANGE-HIGH</i>
1	Director of Health and Human Services	\$110,000	\$175,000 \$195,000
2	Business Administrator	\$160,000	\$230,000 \$240,000
3	Director of Water and Sewer	\$110,000	\$190,000 \$195,000
4	Director of Finance	\$110,000	\$175,000 \$195,000
5	Director of Public Works	\$110,000	\$175,000 \$195,000
6	Director of Planning and Engineering	\$110,000	\$175,000 \$195,000
7	Director of Park and Recreation	\$110,000	\$160,000 \$195,000
8	Chief Financial Officer	\$100,000	\$160,000 \$180,000
9	Construction Code Official	\$100,000	\$160,000 \$180,000
10	Mayor	\$150,000	
11	Court Administrator	\$75,000	\$130,000 \$150,000
12	Municipal Clerk	\$75,000	\$125,000 \$150,000
13	Tax Assessor	\$85,000	\$125,000 \$150,000
14	Tax Collector	\$85,000	\$125,000 \$150,000
15	Municipal Judge	\$45,000	\$75,000 \$90,000
16	Deputy Municipal Clerk	\$45,000	\$75,000 \$90,000
17	Prosecutor	\$20,000	\$60,000 \$75,000

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The Chief Financial Officer of the Township is hereby authorized to transfer such sums as may be necessary to cover such payroll as authorized herein.

Section 3. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

Section 5. This ordinance shall become effective upon final passage and publication according to law.

RESOLUTION R.613-112023

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING NOVEMBER 8, 2023.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, November 8, 2023.

FUND	AMOUNT
Current	\$19,410,044.19
Affordable Housing	0.00
Capital	1,737,202.10
Cash Performance	0.00
CDBG	133,475.97
Developers Escrow	61,416.41
Dog (Animal Control)	24,123.92
Federal Forfeited	0.00
Employee Tax	0.00
Grant Funds	83,653.05
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	3,154,945.57
Sanitation Fund	415,326.56
Self-Insurance	0.00
Sewer Utility	816,870.02
Street Opening	503.00
Tax Sale Redemption	0.00
Tree Fund	0.00
Tree Planting	0.00
Trust	1,156,480.38
Edison Water Utility	715,513.23
Edison Landfill Closure Trust	0.00
TOTAL	\$27,759,351.40

/s/ Christiaan Bushell
Deputy 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.614-112023

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 **\$117,108.78**.

RESOLUTION R.615-112023

Authorizing refund for tax overpayments

WHEREAS, the Tax Collector of the Township of Edison, Donna Bobik, 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 **\$2,127.01**.

RESOLUTION R.616-112023

Authorizing refund for water overpayments

WHEREAS, the Tax Collector of the Township of Edison, Donna Bobik, reports and advises that on various properties located within the Township of Edison, overpayments of water utility have been made due to erroneous or duplicate payments, and

WHEREAS, applications have been made to the Tax Collector for refunds of the said overpayments, and the Tax Collector advises that the requesters are entitled to refunds as provided the attached listing; and

NOW THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the aforementioned recitals are incorporated herein as though fully set forth at length.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing totaling **\$409.30**.

RESOLUTION R.617-112023

Authorizing refund for Sewer overpayments

WHEREAS, the Tax Collector of the Township of Edison, Donna Bobik, reports and advises that on various properties located within the Township of Edison, overpayments of sewer that 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 **\$568.69**.

RESOLUTION R.618-112023

**RESOLUTION REQUESTING APPROVAL OF
THE BEST PRACTICES INVENTORY QUESTIONNAIRE
FOR CALENDAR YEAR 2023**

WHEREAS, Local Finance Notice LFN 2023-17 provides guidance with respect to how the Division of Local Government Services, State of New Jersey will implement the statutory requirement of the Best Practices Questionnaire CY 2023 and the inventory contained within the Best Practices Questionnaire is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

WHEREAS, the Governing Body of the Township of Edison, State of New Jersey acknowledges the Best Practices Inventory Questionnaire CY 2023 and has been apprised of the responses completed by the Chief Financial Officer and authorizes the Certification and prompt submission by the Municipal Clerk and the Chief Financial Officer; and

NOW, THEREFORE, IT IS RESOLVED THAT THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY hereby accepts the Best Practices Questionnaire CY 2023 with the responses completed by the Chief Financial Officer and which has been sent to the Division of Local Government Services within the prescribed time frame dictated by the Division of Local Government Services and the Local Finance Notice LFN 2023-17.

11/13/2023

RESOLUTION R.619-112023

TOWNSHIP OF EDISON MIDDLESEX
COUNTY, NEW JERSEY

**FORM OF RESOLUTION REQUESTING APPROVAL OF
ITEMS OF REVENUE AND APPROPRIATION PER NJSA
40A:4-87**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has received a grant in the amount of \$8,750.00 from State of New Jersey - Division of HighwayTraffic Safety and wishes to amend its CY 2023 budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Edison in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget for the CY 2023 in the amount of \$8,750.00 which is now available as a revenue under:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public & Private Programs Off-Set with Appropriations:

2022 Drive Sober or Get Pulled Over - Labor Day Crackdown.....\$8,750.00

BE IT FURTHER RESOLVED that a like sum of \$8,750.00 is and the same are hereby appropriated under the caption of:

General Appropriations:

Operations excluded from "CAPS": Public & Private Programs Off-Set by Revenues: 2022 Drive Sober

or Get Pulled Over - Labor Day Crackdown.....\$8,750.00

BE IT FURTHER RESOLVED, that the Township Clerk forward one certified copy of this resolution to the Director of Local Government Services.

RESOLUTION R.620-112023

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by 510 Venture, LLC by Bergman Realty Corporation for the Tax Years 2018, 2019, 2020, 2022 and 2023.

WHEREAS, 510 Venture, LLC by Bergman Realty Corporation, the owner of properties located at 510 Thornall Street, Block 671, Lot 2.02 on the Township of Edison’s Tax Assessment Maps , filed Tax Appeals for the Tax Years 2018, 2019, 2020, 2022 and 2023 with the Tax Court of New Jersey under Docket Numbers 002277-2018, 004318-2019, 006382-2020, 005366-2022 and 001618-2023

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

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

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

WHEREAS, under the agreement between the parties, appeals under docket numbers 002277-2018, 004318-2019, 005366-2022 are to be withdrawn

WHEREAS, the original assessment for the 2020 and 2023 Tax Years are as follows:

510 Thornall Street, Block 671, Lot 2.02

	<u>2020 and 2023</u>
Land:	\$ 924,000.00
Improvements:	<u>\$ 3,746,000.00</u>
Total:	\$ 4,670,000.00

WHEREAS, the proposed settlement provides for an assessment of the 2020 and 2023 Tax Years as follows:

510 Thornall Street, Block 671, Lot 2.02

	<u>2020</u>	<u>2023</u>
Land:	\$ 924,000.00	\$924,000.00
Improvements:	<u>\$ 3,476,000.00</u>	<u>\$3,376,000.00</u>
Total:	\$ 4,400,000.00	\$4,300,000.00

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

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

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

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

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund for the tax year 2020 in the amount of \$15,792.30, tax year 2021 in the amount of \$15,817 (due to freeze act) tax year 2022 in the amount of \$15,992 (due to freeze act) and the tax year 2023 in the amount of \$21,907.70

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

For the 2020 and 2023 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

510 Thornall Street, Block 671, Lot 2.02

	<u>2020</u>	<u>2023</u>
Land:	\$ 924,000.00	\$924,000.00
Improvements:	<u>\$ 3,476,000.00</u>	<u>\$3,376,000.00</u>
Total:	\$ 4,400,000.00	\$4,300,000.00

1. Interest is waived on the refund, provided such refund is provided as specified herein; and
2. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2018, 2019, 2020, 2022 and 2023 with the Tax Court of New Jersey under Docket Numbers 002277-2018, 004318-2019, 006382-2020, 005366-2022 and 001618-2023 by the Taxpayer, owner of the Property located at 510 Thornall Street, Block 671, Lot 2.02
3. The Freeze Act will apply to the Judgment to be issued by the New Jersey Tax Court; and
4. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

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

RESOLUTION R.621-112023

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Wick Shopping Plaza Associates, LLC for the Tax Years 2021, 2022 and 2023.

WHEREAS, Wick Shopping Plaza Associates, LLC, the owner of property located at 561 U.S. Route 1, Block: 161.11, Lot: 11 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the Tax Years 2021, 2022 and 2023 with the Tax Court of New Jersey under Docket Numbers 008366-2021 and 002263-2022.

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

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

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

WHEREAS, the original assessment for the 2021 through 2023 Tax Years are as follows:

	<u>2021-2023</u>
LAND:	\$ 711,300.00
IMPROVEMENTS:	\$ <u>9,387,000.00</u>
TOTAL:	\$16,500,000.00

WHEREAS, the proposed settlement provides for an assessment of the 2021-2023 Tax Years as follows:

	<u>2021-2022</u>	<u>2023</u>
LAND:	\$ 711,300.00	\$ 711,300.00
IMPROVEMENTS:	\$ <u>9,387,000.00</u>	\$ <u>8,887,000.00</u>
TOTAL:	\$16,500,000.00	\$16,000,000.00

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

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

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

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

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to an approximate refund for 2023 of **\$29,615.00**,

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

For the 2023 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2023</u>
LAND:	\$ 711,300.00
IMPROVEMENTS:	\$ <u>8,887,000.00</u>
TOTAL:	\$16,000,000.00

1. Interest is waived on the refund, provided such refund is provided as specified herein;
and

2. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years 2021-2023 under Docket Numbers 008366-2021 and 002263-2022 by the Taxpayer, owner of the Property located at 561 U.S. Route 1, Block 161.11, Lot 11.

3. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and

4. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgments, the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent.

RESOLUTION R.622-112023

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO VARIOUS VENDORS
FOR THE FURNISHING OF WALK-IN BUILDING SUPPLIES AND RELATED PRODUCTS**

WHEREAS, there is a need to purchase building, industrial, janitorial and hardware supplies for the Township of Edison; and

WHEREAS, the vendors listed below have been awarded a State Contract under M8001 Walk-In Building Supplies:

- Home Depot USA Inc. / The Home Depot Pro
- Lowes Home Centers LLC; 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 of Edison is authorized to purchase a combined total amount not to exceed \$497,000.00 from the vendors awarded State Contract M8001 as listed herein; and

WHEREAS, the total amount of this contract, not to exceed \$497,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$497,000.00 and any other necessary documents, with the various vendors as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contracts under M8001.

RESOLUTION R.623-112023

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO W.B. MASON FOR OFFICE SUPPLIES

WHEREAS, bids were received by the Township of Edison on September 6, 2023 for Public Bid No. 23-12-04 OFFICE SUPPLIES; and

WHEREAS, W.B. MASON CO., INC., 300 Prospect Plans Road, Cranbury, NJ 08512 submitted the sole lowest legally responsible, responsive bid; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with an option to renew for two (2) one (1) year renewals upon mutual agreement of both parties at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds for each renewal year; and

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$215,800.00; 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 sole bid has been reviewed, and the bid submitted by W.B. MASON, 300 Prospect Plans Road, Cranbury, NJ 08512 for Public Bid No. 23-12-04 OFFICE SUPPLIES, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$215,800.00, with W.B. MASON as described herein.

RESOLUTION R.624-112023

THIS RESOLUTION INCREASES THE PERMISSIBLE EXPENDITURES FOR THE PROFESSIONAL SERVICES CONTRACT AWARDED TO RAINONE COUGHLIN MINCHELLO FOR MUNICIPAL ATTORNEY FOR MARCH 1, 2023 – DECEMBER 31, 2023

WHEREAS, RAINONE COUGHLIN MINCHELLO, 555 US Highway One South, Suite 440, Iselin, NJ 08830 was awarded a Professional Services contract for Municipal Attorney through Resolution R.093-022023 in the amount not to exceed \$350,000.00 for the period of March 1, 2023 – December 31, 2023; and

WHEREAS; additional approval is needed to increase permissible expenditures to RAINONE COUGHLIN MINCHELLO by a not to exceed amount of \$250,000.00 to pay for services rendered as well as additional anticipated services for the remainder of the year 2023; and

WHEREAS, all other terms and conditions of the original Resolution and contract shall remain in full force and effect; and

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, County of Middlesex, and State of New Jersey that Resolution R.093-022023 is hereby amended to provide additional funds in the not to exceed amount of \$250,000.00 for Municipal Attorney services provided by RAINONE COUGHLIN MINCHELLO as described herein.

RESOLUTION R.625-112023

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT
INCORPORATED THROUGH THE EDUCATIONAL SERVICES COMMISSION OF
NEW JERSEY COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF
VARIOUS TECHNOLOGY SUPPLIES AND SERVICES**

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/AEPA-22G Technology Supplies & Services through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order(s) with CDW GOVERNMENT INCORPORATED for the purchase of various computer equipment and supplies; and

WHEREAS, the total amount of this contract, not to exceed \$50,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount of \$50,000.00 with CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484, the approved Educational Services Commission of New Jersey Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey Cooperative Pricing System as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

RESOLUTION R.626-112023

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO VERIZON WIRELESS
FOR THE FURNISHING OF CELLULAR PHONE SERVICES, WIRELESS CARDS AND
ACCESSORIES**

WHEREAS, there is a need to purchase cellular phone services, wireless cards and accessories for the Township of Edison; and

WHEREAS, VERIZON WIRELESS, 10170 Junction Drive, Suite 200, Annapolis Junction, MD 20701 has been awarded State Contract Number 22-TELE-05441 under M4006/Wireless Voice Data and Accessories; and

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

WHEREAS, the total amount of this contract, not to exceed \$220,000.00 (for cell phones, air cards and accessories), 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)).

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 \$220,000.00 and any other necessary documents, with VERIZON WIRELESS, 10170 Junction Drive, Suite 200, Annapolis Junction, MD 20701, 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. 22-TELE-05441 under M4006.

RESOLUTION R.627-112023

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO SHI INTERNATIONAL CORPORATION FOR HIPAA COMPLIANT SOFTWARE FOR THE HEALTH DEPARTMENT

WHEREAS, there is a need for the Township of Edison, Health Department, to have HIPPA complaint software; 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 Bergen County Cooperative Purchasing Alliance, Cooperative Pricing System #CK-04 has offered voluntary participation in a cooperative pricing system for the purchase of goods and services for which Edison is a member; and

WHEREAS, SHI INTERNATIONAL CORPORATION, 290 Davidson Avenue, Somerset, NJ 08873 has been awarded Contract # BC-BID 22-24 under Bergen County Co-op CK04 – Catalog/Computer Equipment and Peripherals; and

WHEREAS, the Township intends to purchase Silver Hammer Associates HIPPAAS compliant software under this contract in the amount of \$205,170.00; 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 \$205,170.00, with SHI INTERNATIONAL CORPORATION, 290 Davidson Avenue, Somerset, NJ 08873, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-1 et seq. of the Local Public Contracts Law, under Bid No. 22-24 through State Coop #CK-04.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$205,170.00** are available for the above in Account No.

Lina Vallejo
Chief Financial Officer

RESOLUTION R.628-112023

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO PEOPLE FOR ANIMALS FOR VETERINARY SERVICES/CLINICS

WHEREAS, PEOPLE FOR ANIMALS, 401 Hillside Ave., Hillside, NJ 07205 was awarded a Professional Services contract for Veterinary Services/Clinics for August 1, 2022 through July 31, 2023; and

WHEREAS; the funds awarded for this contract for Veterinary Services have been expended and additional approval is needed to increase the allowable expenditures to People For Animals in the not to exceed amount of \$60,000.00 for current invoices; and

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

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

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

WHEREAS; the total amount of this contract shall be in the amount not to exceed \$60,000.00; and

WHEREAS, prior to contract award, PEOPLE FOR ANIMALS 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 PEOPLE FOR ANIMALS from making any reportable contributions through the term of this one year contract; 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:

3. The Township is hereby authorized to execute a contract and any other necessary documents, with PEOPLE FOR ANIMALS, 401 Hillside Ave., Hillside, NJ 07205, in an amount not to exceed \$60,000.00 as set forth above.
4. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.5 et. seq, and without competitive bidding.

5. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
6. 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.

RESOLUTION R.629-112023

**RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO
CONSOLIDATED STEEL & ALUMINUM FENCE CO. INC. FOR THE INSTALLATION OF
OUTDOOR KENNELS DUE TO OVERCROWDING**

WHEREAS, an emergency existed that required the urgent acquisition and installation of outdoor kennel runs to alleviate the overcrowding of dogs at the Edison Animal Shelter to ensure their safety; and

WHEREAS, CONSOLIDATED STEEL & ALUMINUM FENCE CO. INC., 316 North 12th Street, Kenilworth, NJ 07033 submitted a proposal to install outdoor kennel runs in the amount of \$84,840.56; and

WHEREAS, CONSOLIDATED STEEL & ALUMINUM FENCE CO. INC. has been awarded 15264 has been awarded State Contract Number 88680 under T0640 Fence: Chain Link, Rock Wall, Wooden, Vinyl and Ornamental (Install & Replace) for which this purchase is under; and

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

WHEREAS, 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:

3. The Mayor, or his designee, is hereby authorized to execute/process contracts/Purchase Orders in the amount not to exceed \$84,840.56, and any other necessary documents, with CONSOLIDATED STEEL & ALUMINUM FENCE CO. INC.
4. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$84,840.56** are available as follows:

- **\$65,000.00** in Account No. **G-02-23-0330-752-000**
- **\$19,840.56** in Account No. **C-04-22-2163-103-001**

Lina Vallejo
Chief Financial Officer

RESOLUTION R.630-112023

EXPLANATION: Resolution Refunding In-House Engineering Inspection Fees to We Buy and Sell Properties, LLC, 1024 Amboy Avenue, Edison, NJ 08837, for 125 Highland Avenue, Edison, NJ 08817, SIP 22-115, Account # EI220805WE, Subaccount # 68392723.

WHEREAS, the Township Engineer advises that a final inspection was made of 125 Highland Avenue located in Block: 64 Lot: 37.01, SIP # 22-115, 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 \$281.68, which represents the amount due and owing the applicant, be returned to We Buy and Sell Properties, LLC, having address at 1024 Amboy Avenue, Edison, NJ 08837, Account #EI220805WE, Subaccount# 68392723.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$281.68 plus accrued interest, if applicable, be refunded to the applicant, We Buy and Sell Properties, LLC, having an address at 1024 Amboy Avenue, Edison, NJ 08837, for 125 Highland Avenue, Edison, NJ 08817, Account # EI220805WE , Subaccount # 68392723.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$281.68, plus any accrued interest, if applicable, in account #EI220805WE, subaccount # 68392723 to the applicant, We Buy and Sell Properties, LLC, having an address at 1024 Amboy Avenue, Edison, NJ 08837, for the referenced properties at 125 Highland Avenue, Edison, NJ 08817.

RESOLUTION R.631-112023

RESOLUTION AUTHORIZING CHANGE ORDER # 2 FOR PUBLIC BID NO. 23-30-04 WITH SHORELANDS CONSTRUCTION INC. FOR THE TOTH HEALTH & SENIOR CENTER RENOVATION

WHEREAS, Resolution R.246-05202 authorized Contract No. 23-30-04 with SHORELANDS CONSTRUCTION INC., 7 Columbus Drive, Monmouth Beach, NJ 07750-1003, for the Toth Health & Senior Center Renovation in the amount of \$5,290,850.00; and

WHEREAS, Resolution R.497-082023 approved Change Order #1 in the amount of \$20,000.00; and

WHEREAS, Change Order #2 is needed to abate the hazardous materials in the total amount of \$99,112.00 increasing the total contract award to \$5,409,962.00; and

WHEREAS, the changes will not alter the contract in such a manner as to nullify the effect of the competitive determination of lowest responsible bidder which was made at the time of the contract award; and

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

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, that Change Order #2 to the contract with SHORELANDS CONSTRUCTION INC. is hereby authorized in the amount of \$99,112.00 for a total amended contract amount of \$5,409,962.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$99,112.00** are available for the above in Account No. **C-04-16-1948-490-000** for a total amended contract amount of **\$5,409,962.00**.

Lina
Vallejo
Chief Financial Officer

Date

RESOLUTION R.632-112023

EXPLANATION: Resolution Refunding Cash Performance – Receipt of Maintenance Bond, to Anthony N. Acello, for 1031-1043 Amboy Avenue. Application # P2-2018 in account # CP210708AN, subaccount# 68392572.

WHEREAS, the Township Engineer advises that an inspection has been made of 1031-1043 Amboy Avenue, Block: 727 Lots: 1-A, 2-5, and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer is in receipt of Cash Maintenance Bond Check # 1071 of Connect One Bank, dated July 18, 2023 in the amount of \$2,985.00 and posted by Anthony N. Acello, having offices at 6 Susan Court, Old Tappan, NJ 07675, for 1031-1043 Amboy Avenue, to ensure the quality of construction and guarantee maintenance over a two (2) year period.

WHEREAS, the Township Engineer, recommends the release of the Cash Performance posted on July 1, 2021 in the amount of \$26,660.00 plus accrued interest, if applicable on deposit in account # CP210708AN, subaccount # 68392572 with the Township of Edison, principal being Anthony N. Acello, having offices at 6 Susan Court, Old Tappan, NJ 07675, and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to return the aforesaid Cash Performance in the amount of \$26,660.00 plus accrued interest, if applicable, on deposit in account #CP210708AN, subaccount# 68392572 to the applicant, Anthony N. Acello, have offices at 6 Susan Court, Old Tappan, NJ 07675.

RESOLUTION R.633-112023

**RESOLUTION AUTHORIZING THE USE OF COMPETITIVE CONTRACTING FOR A
CONSTRUCTION MANAGER FOR THE EDISON SPORTS BUILDING PROJECT**

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-4.1 et seq., provides for the utilization of a process called competitive contracting in lieu of public bidding for procurement of specific goods and/or services; and

WHEREAS, said process allows for competition, the award being based on a methodology which includes an evaluation, ranking, and weighing of criteria as well as cost; and

WHEREAS, the Township wishes to initiate competitive contracting for a construction manager for the Edison sports building project as permitted by N.J.S.A. 40A:11-4.1 (1)(m); and

WHEREAS, N.J.S.A. 40A:11-4-3(a) requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in N.J.S.A. 40A:11-4.1 is desired to be contracted.

NOW, THEREFORE IT IS RESOLVED, by the Municipal Council of the Township of Edison that the appropriate township officials are hereby authorized to initiate competitive contracting for the aforesaid project in conformance with N.J.S.A. 40A:11-4.1 et seq.

RESOLUTION R.634-112023

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 STO0000661, to the following:

Permit Number: DEV-23-0479

Opening Location: 45 DELLWOOD RD

Block/Lot: 643.19/17.01

Applicant's Name & Address:

**BORIS DREITSER
45 DELLWOOD RD
EDISON, NJ 08820**

Initial Deposit Date: 03/25/2022

Deposit Amount: \$3,400.00

Paid by & refunded to:

**BORIS DREITSER
45 DELLWOOD 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.635-112023

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 STO0000809, to the following:

Permit Number: DEV-23-0650

Opening Location: 67 BEECHWOOD AVE

Block/Lot: 690.17/7

Applicant's Name & Address:

**LOCHIATTO PAVING & MASONRY CO
1607 RT.27
EDISON, NJ 08817**

Initial Deposit Date: 9/15/2023

Deposit Amount: \$1,200.00

Paid by & refunded to:

**RICHARD W BURKE & LILLIAN D BURKE
67 BEECHWOOD AVE
EDISON, NJ 08837**

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.636-112023

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 STO0000818, to the following:

Permit Number: DEV-23-0668

Opening Location: 8 MULBERRY LN

Block/Lot: 593.21/9

Applicant's Name & Address:

**VICTORY BUILDERS LLC
2107 OAK TREE RD
EDISON, NJ 08820**

Initial Deposit Date: 10/12/2023

Deposit Amount: \$2,160.00

Paid by & refunded to:

**VICTORY BUILDERS LLC
2107 OAK TREE 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.637-112023

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 STO0000753, to the following:

Permit Number: DEV-22-0525

Opening Location: 5 FARRINGTON ST

Block/Lot: 490.08/10

Applicant's Name & Address:

**VICTORY BUILDERS LLC
2107 OAK TREE
EDISON, NJ 08820**

Initial Deposit Date: 03/24/2023

Deposit Amount: \$2,960.00

Paid by & refunded to:

**VICTORY BUILDERS LLC
2107 OAK TREE
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.638-112023

RESOLUTION AMENDING R.504-082023 REJECTION OF ALL BIDS FOR GARBAGE/REFUSE TRUCK CHASSIS

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on July 3, 2023 for Public Bid No. 23-04-17 Garbage/Refuse Truck Chassis with a bid opening date of July 14, 2023; and

WHEREAS, Resolution R.504-082023 was approved to reject all bids under 40A:11-13.2(d) substantially revising specifications; and

WHEREAS, the Township has decided it is in its best interest to purchase the Garbage/Refuse Truck Chassis via state contract/co-op; and

WHEREAS, Resolution R.504-082023 is hereby amended rejecting all bids under 40A:11-13.2(f) as the Township shall purchase under State contract/Co-op; and

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

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey that the proposals for Public Bid No. 23-04-17 Garbage/Refuse Truck Chassis is hereby rejected and approval is given to purchase via state contract/co-op as stated herein.

RESOLUTION R.639-112023

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO H.A. DEHART & SON INC. FOR LANDSCAPE TRAILERS

WHEREAS, bids were received by the Township of Edison on October 13, 2023 for Public Bid No. 23-10-01 Landscape Trailers; and

WHEREAS, H.A. DEHART & SON INC., 311 Crown Point Road, Thorofare, NJ 08086, submitted the sole lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract shall not exceed \$142,271.00, broken down as follows:

- \$121,494.00 for (6) 16' landscape trailers (\$20,249.00 each)
- \$20,777.00 for (1) 20' landscape trailer; 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 sole bid has been reviewed, and the bid submitted by H.A. DEHART & SON INC., 311 Crown Point Road, Thorofare, NJ 08086 for Public Bid No. 23-10-01 Landscape Trailers, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$142,271.00 and any other necessary documents, with H.A. DEHART & SON INC. as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$142,271.00** are available in Account No. **C-04-23-2192-103-001**.

Lina Vallejo
Chief Financial Officer

Date

RESOLUTION R.640-112023

**RESOLUTION AUTHORIZING CONTRACT/PURCHASE ORDER FOR ONE (1) NEW AND
UNUSED 2023 OR NEWER UTILITY TRUCK WITH OPTIONS**

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

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

WHEREAS, the Township of Edison, Department of Public Works, is in need of one (1) new and unused 2023 Chevrolet Silverado 4500 Utility Truck with options and will purchase it under this cooperative pricing system from Pellegrino Chevrolet (chassis) and Cliffside Body Corporation (body); and

WHEREAS, PELLEGRINO CHEVROLET, 1000 Gateway Blvd., Westville, NJ 08093 has been awarded Contract # ESCNJ 23/24-04 Class 4-8 Trucks under NJ state approved coop #65MCESCCPS; and

WHEREAS, the total amount of the chassis shall not exceed \$73,855.00; and

WHEREAS, CLIFFSIDE BODY CORPORATION, 130 Broad Avenue, Fairview, NJ 07022 has been awarded Contract # ESCNJ 23/24-04 Class 4-8 Trucks under NJ state approved coop #65MCESCCPS; and

WHEREAS, the total amount of the body shall not exceed \$65,716.25; and

WHEREAS, the total amount of this purchase shall not exceed \$139,571.25; 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 \$139,571.25, and any other necessary documents, with PELLEGRINO CHEVROLET and CLIFFSIDE BODY CORPORATION, the approved Educational Services Commission of New Jersey vendors through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$139,571.25** are available for the above in Account No. **C-04-23-2192-103-001**.

Lina Vallejo
Chief Financial Officer

RESOLUTION R.641-112023

**RESOLUTION AUTHORIZING CONTRACT/PURCHASE ORDERS FOR VAN UPGRADES,
PLOW AND SPREADERS FOR THE DEPARTMENT OF PUBLIC WORKS**

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

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

WHEREAS, the Township of Edison, Department of Public Works, is in need of van upgrades, and new and unused plows and spreaders with options and will purchase it under this cooperative pricing system from Cliffside Body Corporation; and

WHEREAS, CLIFFSIDE BODY CORPORATION, 130 Broad Avenue, Fairview, NJ 07022 has been awarded Contract # ESCNJ 23/24-04 Class 4-8 Trucks under NJ state approved coop #65MCECCPS; and

WHEREAS, the total amount of this purchase shall not exceed \$107,090.02, broken down as follows:

- \$32,248.32 for (3) Racking System upgrades to cargo vans (\$10,749.44 each)
- \$49,453.15 for (5) Plows (\$9,890.63 each)
- \$25,388.55 for (3) Spreaders (\$8,462.85 each); 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 \$107,090.02, and any other necessary documents, with CLIFFSIDE BODY CORPORATION, the approved Educational Services Commission of New Jersey vendor through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$107,090.02** are be available as follows:

- **\$61,920.21** in Account No. **C-04-20-2089-104-002**
- **\$8,462.85** in Account No. **C-04-23-2192-103-001**
- **\$36,706.96** in Account No. **3-07-55-0501-000-030**

Lina Vallejo
Chief Financial Officer

RESOLUTION R.642-112023

RESOLUTION AUTHORIZING CONTRACT/PURCHASE ORDER FOR TWO (2) NEW AND UNUSED 2025 OR NEWER REAR LOAD GARBAGE TRUCK WITH OPTIONS

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

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

WHEREAS, the Township of Edison, Department of Public Works, is in need of two (2) new and unused 2025 Kenworth T480 Rear Load Garbage Truck with options and will purchase it under this cooperative pricing system from Gabrielli Kenworth of NJ LLC (chassis), Detachable Container & Compactor Corp. dba DETCON (body), and Cliffside Body Corporation (accessories); and

WHEREAS, GABRIELLI KENWORTH OF NJ LLC, 2306 Route 130 North, Dayton, NJ 08810 has been awarded Contract # ESCNJ 23/24-04 Class 4-8 Trucks under NJ state approved coop #65MCESCCPS; and

WHEREAS, the total amount of the chassis shall not exceed \$372,802.20 (\$186,401.10 each); and

WHEREAS, DETACHABLE CONTAINER & COMPACTOR CORP. DBA DETCON, 5039 Industrial Road #1, Farmingdale, NJ 07727 has been awarded Contract # ESCNJ 23/24-04 Class 4-8 Trucks under NJ state approved coop #65MCESCCPS; and

WHEREAS, the total amount of the body shall not exceed \$248,424.60 (\$124,212.30 each); and

WHEREAS, CLIFFSIDE BODY CORPORATION, 130 Broad Avenue, Fairview, NJ 07022 has been awarded Contract # ESCNJ 23/24-04 Class 4-8 Trucks under NJ state approved coop #65MCESCCPS; and

WHEREAS, the total amount of the accessories shall not exceed \$51,952.96 (\$25,976.48 each); and

WHEREAS, the total amount of this purchase shall not exceed \$673,179.76 (\$336,589.88); 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 \$673,179.76, and any other necessary documents, with GABRIELLI KENWORTH OF NJ LLC, DETACHABLE CONTAINER & COMPACTOR CORP. DBA DETCON, and CLIFFSIDE BODY CORPORATION, the approved Educational Services Commission of New Jersey vendors through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$673,179.76** are available for the above in Account No. **3-09-55-0880-000-600**.

Lina Vallejo
Chief Financial Officer

RESOLUTION R.643-112023

RESOLUTION AUTHORIZING CONTRACT/PURCHASE ORDER FOR ONE (1) NEW AND UNUSED 2025 OR NEWER MECHANIC SERVICE TRUCK WITH OPTIONS

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

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

WHEREAS, the Township of Edison, Department of Public Works, is in need of one (1) new and unused 2025 Kenworth T480 Mechanic Service Truck with options and will purchase it under this cooperative pricing system from Gabrielli Kenworth of NJ LLC (chassis) and Cliffside Body Corporation (body & accessories); and

WHEREAS, GABRIELLI KENWORTH OF NJ LLC, 2306 Route 130 North, Dayton, NJ 08810 has been awarded Contract # ESCNJ 23/24-04 Class 4-8 Trucks under NJ state approved coop #65MCECCPS; and

WHEREAS, the total amount of the chassis shall not exceed \$146,224.90; and

WHEREAS, CLIFFSIDE BODY CORPORATION, 130 Broad Avenue, Fairview, NJ 07022 has been awarded Contract # ESCNJ 23/24-04 Class 4-8 Trucks under NJ state approved coop #65MCECCPS; and

WHEREAS, the total amount of the body shall not exceed \$185,993.73; and

WHEREAS, the total amount of this purchase shall not exceed \$332,218.63; 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 \$332,218.63, and any other necessary documents, with GABRIELLI KENWORTH OF NJ LLC and CLIFFSIDE BODY CORPORATION, the approved Educational Services Commission of New Jersey vendors through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$332,218.63** are available for the above in Account No. **C-04-23-2192-103-001**.

Lina Vallejo
Chief Financial Officer

RESOLUTION R.644-112023

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO STORR TRACTOR COMPANY FOR THE PURCHASE OF THREE (3) LAWNMOWERS

WHEREAS, there is a need to purchase three (3) Toro lawnmowers with options for the Department of Public Works, Division of Parks; 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 Educational Services Commission of New Jersey hereinafter referred to as the "Lead Agency" has offered voluntary participation in a cooperative pricing system for the purchase of goods and services; and

WHEREAS, STORR TRACTOR COMPANY, 3191 US Highway 22, Branchburg, NJ 08876 has been awarded Contract # ESCNJ 22/23-12 Grounds Equipment under NJ state approved coop #65MCESCCPS; and

WHEREAS, the total amount of this purchase shall not exceed \$164,723.94, broken down as follows:

- \$88,446.40 for one (1) Toro Groundsmaster 4000-D with options
- \$76,277.54 for two (2) Toro Groundsmaster 7210s with options (\$38,138.77 each); 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 \$164,723.94, and any other necessary documents, with STORR TRACTOR COMPANY, the approved Educational Services Commission of New Jersey vendor through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$164,723.94** are available for the above in Account No. **C-04-23-2192-103-001**.

Lina Vallejo
Chief Financial Officer

RESOLUTION R.645-112023

RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) NEW AND UNUSED 2024 OR NEWER ONE ARM SIDE LOAD GARBAGE TRUCKS WITH OPTIONS

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, Sourcewell, maintains National Cooperative Purchasing Agreement Contracts, which are competitively awarded national leverage cooperative purchasing contracts, through which members can make purchases; and

WHEREAS, the Township of Edison is a member of the Sourcewell National Coop under Account #98315; and

WHEREAS, the Township of Edison, Department of Public Works is in need of two (2) new and unused 2024 or newer one arm side load refuse collection vehicles with a Labrie Automizer Right Hand body mounted on a Kenworth L770 Chassis with options; and

WHEREAS, SANITATION EQUIPMENT CORP., 80 Furler Street, Totowa, NJ 07512 has been awarded Contract #091219-LEG Mobile Refuse Collection Vehicles; and

WHEREAS, the total amount of this contract shall not exceed \$908,541.04 (\$454,270.52 each); 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:

7. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$908,541.04, and any other necessary documents, with SANITATION EQUIPMENT CORP., the authorized distributor of Labrie Environmental Group, awardee of the Sourcewell RFP and 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.
8. This contract is awarded pursuant to Public Law 2011, Chapter 139 and Local Finance Notice No. LFN 2012-10.
9. As per N.J.A.C. 17:44-2.2, the Contractor/Vendor shall maintain all documentation for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$908,541.04** for the above are available as follows:

- **\$535,809.71** in Account No. **3-09-55-0880-000-600**
- **\$372,731.33** in Account No. **T-09-0205-000-000**

Lina Vallejo
Chief Financial Officer

RESOLUTION R.646-112023

RESOLUTION AUTHORIZING REVISION TO THE PURCHASE OF TWO (2) NEW AND UNUSED 2023 OR NEWER BUCKET TRUCK BODIES WITH OPTIONS

WHEREAS, Resolution R.231-042023 awarded the purchase of two (2) new and unused 2022 or newer Bucket Truck bodies with options from Versalift East LLC for \$233,686.00 (\$116,843.00 each); and

WHEREAS, due to unforeseen circumstances, larger outriggers are necessary to be installed to ensure the optimal functionality and safety for full working Bucket Trucks; 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 Educational Services Commission of New Jersey (ESCNJ) hereinafter referred to as the "Lead Agency" has offered voluntary participation in a cooperative pricing system for the purchase of goods and services; and

WHEREAS, this contract was awarded to VERSALIFT EAST LLC, 2706 Brodhead Road, Bethlehem, PA 18020 under Contract # ESCNJ 20/21-55 Trucks Class 4-8 under NJ state approved coop #65MCECCPS; and

WHEREAS, the total amount of this revision shall not to exceed \$43,996.00 (\$21,998.00 each) for a new total contract amount of \$277,682.00; 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 additional amount not to exceed \$43,996.00, and any other necessary documents, with VERSALIFT EAST LLC, the approved Educational Services Commission of New Jersey vendor through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. The new contract amount for the two (2) new and unused 2023 or newer Bucket Truck bodies with options is \$277,682.00 (\$138,841.00 each).
3. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$43,996.00** are available for the above in Account No. **C-04-20-2089-104-002**.

Lina Vallejo
Chief Financial Officer

RESOLUTION R.647-112023

RESOLUTION AWARDING PAYMENT TO VARIOUS NON-PROFIT ORGANIZATIONS FOR LEAGUE RECREATIONAL SERVICES FUNDING SPORTS

WHEREAS, there exists an ordinance for the Township of Edison to provide for League Recreational Services Funding for sports activities sponsored by certain nonprofit sports organizations; and

WHEREAS, funds in the amount of \$228,432.50 have been certified to be available in the Recreation Other Professional Services Account Number 3-01-28-0370-000-028; and

WHEREAS, the below listed nonprofit sports organizations will be eligible for the amounts specified as their annual allotment, after complying with all requirements listed in the contracts between the Leagues and the Township of Edison:

Buddy Ball of Edison	\$ 5,659.00
Edison Boys Baseball	\$49,846.00
Edison Jets Football	\$10,565.00
Edison United Soccer Association	\$52,000.00
Edison Youth Basketball	\$17,834.00
Little Eagles Wrestling	\$ 4,000.00
Edison Midtown Softball	\$21,282.00
No. Edison Baseball & Softball Asso.	\$48,526.00
No. Edison Athletic Association	\$ 9,720.00
Falcon's Jr. Cricket Club	\$ 9,000.00

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

CERTIFICATION

I hereby certify that funds in the amount of \$228,432.50 are available for the above payment in Account 3-01-28-0370-000-028.

RESOLUTION R.648-12023

**RESOLUTION SETTING HUT/VENDOR SPACE RENTAL FEES FOR THE
WINTER WONDERLAND & MARKETPLACE EVENT**

WHEREAS, there exists an ordinance for the Township of Edison to set fees for the rental of huts and vendor spaces at Papaiani Park; and

WHEREAS, the Township of Edison will be hosting its annual Winter Wonderland and Marketplace Event December 8, 9, 10, 2023; and

WHEREAS, the fees for this event are listed below:

STANDARD HUTS: \$100.00

PARKING SPACE: \$50.00

FOOD TRUCK SPACE: \$50.00

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the vendor fees have been set for the Winter Wonderland and Marketplace Event.

RESOLUTION R.649-112023

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO ABSOLUTE FIRE PROTECTION COMPANY INC. FOR EMERGENCY VEHICLE REPAIRS

WHEREAS, bids were received by the Township of Edison on September 27, 2023 for Public Bid No. 23-10-02 Emergency Vehicle Repairs; and

WHEREAS, ABSOLUTE FIRE PROTECTION COMPANY INC., 2800 Hamilton Blvd., South Plainfield, NJ 07080, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with an option to renew for two (2) one (1) year renewals upon mutual agreement of both parties at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds for the renewal year; and

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$300,000.00 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. The bids have been reviewed, and the bid submitted by ABSOLUTE FIRE PROTECTION COMPANY INC., 2800 Hamilton Blvd., South Plainfield, NJ 07080 for Public Bid No. 23-10-02 Emergency Vehicle Repairs, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$300,000.00 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 ABSOLUTE FIRE PROTECTION COMPANY INC. as described herein.

RESOLUTION R.650-112023

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CAMPBELL SUPPLY COMPANY, LLC FOR FIRE DEPARTMENT EQUIPMENT AND TOOLS – SUPPLY AND REPAIR

WHEREAS, bids were received by the Township of Edison on September 6, 2023 for Public Bid No. 23-05-18 Fire Department Equipment and Tools – Supply and Repair; and

WHEREAS, CAMPBELL SUPPLY COMPANY, LLC, 1015 Cranbury South River Road, Monroe, NJ 08831, submitted the lowest legally responsible, responsive bid for selected items on the bid summary sheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with an option to renew for two (2) one (1) year renewals upon mutual agreement of both parties at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds for the renewal year; and

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$18,000.00 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. The bids have been reviewed, and the bid submitted by CAMPBELL SUPPLY COMPANY, LLC, 1015 Cranbury South River Road, Monroe, NJ 08831 for Public Bid No. 23-05-18 Fire Department Equipment and Tools – Supply and Repair, is determined to be the lowest legally responsible, responsive bid for selected items on the bid summary sheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$18,000.00 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 CAMPBELL SUPPLY COMPANY, LLC as described herein.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received or bids were rejected.

RESOLUTION R.651-112023

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CONTINENTAL FIRE & SAFETY, INC. FOR FIRE DEPARTMENT EQUIPMENT AND TOOLS – SUPPLY AND REPAIR

WHEREAS, bids were received by the Township of Edison on September 6, 2023 for Public Bid No. 23-05-18 Fire Department Equipment and Tools – Supply and Repair; and

WHEREAS, CONTINENTAL FIRE & SAFETY, INC., 2740 Kuser Road, Hamilton, NJ 08691, submitted the lowest legally responsible, responsive bid for selected items on the bid summary sheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with an option to renew for two (2) one (1) year renewals upon mutual agreement of both parties at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds for the renewal year; and

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$110,000.00 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. The bids have been reviewed, and the bid submitted by CONTINENTAL FIRE & SAFETY, INC., 2740 Kuser Road, Hamilton, NJ 08691 for Public Bid No. 23-05-18 Fire Department Equipment and Tools – Supply and Repair, is determined to be the lowest legally responsible, responsive bid for selected items on the bid summary sheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$110,000.00 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 CONTINENTAL FIRE & SAFETY, INC. as described herein.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received or bids were rejected.

RESOLUTION R.652-112023

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO MALOUF FORD FOR THE FURNISHING OF AUTOMOTIVE MAINTENANCE AND REPAIRS FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need for OEM & Non OEM maintenance and repairs for light/medium duty vehicles for the Township of Edison; and

WHEREAS, MALOUF FORD, 2210 HWY 1, North Brunswick, NJ 008902, has been awarded State Contract Number A40808 under T0126 – OEM AND NON-OEM MAINTENANCE AND REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES; and

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

WHEREAS, the total amount of this contract, not to exceed \$75,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$75,000.00 and any other necessary documents, with MALOUF FORD, 2210 HWY 1, North Brunswick, NJ 008902, 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. A40808 under T0126.

RESOLUTION R.653-112023

EXPLANATION: Resolution Releasing of Cash Maintenance Bond to B & B Mc Entee Construction Company, LLC for Lotito Foods, 220-240 Carter Drive, on Site Improvements Under Application No. 20-2019, in Account # CP210301LO, Subaccount # 68392504.

WHEREAS, the Township Engineer advises that an inspection has been made of Lotito Foods located at 220-240 Carter Drive, Block: 22 and Lot: 3.D, Application #P20-2019, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on February 24, 2021, B & B Mc Entee Construction Company, LLC, posted a Cash Maintenance Bond, Check # 1511, in the amount of \$225.00 of Spencer Savings Bank with the Township of Edison, to guarantee the integrity of the site improvements with the Township of Edison. The maintenance period has elapsed with no defects developing; and

WHEREAS, the Township Engineer, recommends the release of the Cash Maintenance Bond posted on February 24, 2021 in the amount of \$225.00, plus applicable interest, on deposit in account # CP210301LO, subaccount # 68392504. The principal being B & B Mc Entee Construction Company, LLC having offices at 20 Edison Drive, Wayne, NJ 07470 and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to release the aforesaid Cash Maintenance Bond in the amount of \$225.00, plus applicable interest.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to release the aforesaid Cash Maintenance Bond in the amount of \$225.00, plus accrued interest on deposit in account #CP210301LO, subaccount# 68392504, to the applicant B & B Mc Entee Construction Company, LLC, having offices at 20 Edison Drive, Wayne, NJ 07470.

RESOLUTION R.654-112023

EXPLANATION: Resolution Releasing of Cash Maintenance Bond to Factory Direct Enterprises, LLC, for Ashley Furniture on Site Improvements Under Application No. P3-2010, in account # CP210802AS, subaccount# 68392576.

WHEREAS, the Township Engineer advises that an inspection has been made of Ashley Furniture located at 3025 Woodbridge Avenue, Block: 795.D and Lot: 22.13, Application #P3-2019, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on July 26, 2021, Factory Direct Enterprises, LLC posted a Cash Maintenance Bond, Check # 35011455 of Wells Fargo Bank, in the amount of \$14,400.00 with the Township of Edison, to guarantee the integrity of the site improvements with the Township of Edison. The maintenance period has elapsed with no defects developing; and

WHEREAS, the Township Engineer, recommends the release of the Cash Maintenance Bond posted on July 26, 2021 in the amount of \$14,400.00, plus applicable interest, on deposit in account # CP210802AS, subaccount# 68392576. The principal being Factory Direct Enterprises, LLC having offices at 208 Fernwood Avenue, Edison, NJ 08837 and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to release the aforesaid Cash Maintenance Bond in the amount of \$14,400.00, plus applicable interest.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to release the aforesaid Cash Maintenance Bond in the amount of \$14,400.00, plus accrued interest on deposit in account# CP210802AS, subaccount# 68392576, to the applicant Factory Direct Enterprises, LLC, having offices at 208 Fernwood Avenue, Edison, NJ 08837.

RESOLUTION R.655-112023

**FY23 HTS Mobilization 2023 Drive Sober or Get Pulled Over Year End Holiday
Crackdown Grant
GRANT APPLICATION**

WHEREAS; the Division of Police wishes to apply for grant funding in the amount of \$10,500.00 as a reimbursement, to use towards salaries and wages for increased patrols to combat impaired driving on Township roadways; and

WHEREAS; the Edison Division of Police is one of many police departments in New Jersey that is eligible to receive funding from the NJ Division of Highway Traffic and Safety, FY23 Year End Holiday Drive Sober or Get Pulled Over Crackdown Grant for the period of 12/01/23-01/01/24; and

WHEREAS; the grant allows for police departments to add additional patrols to help reduce the number of impaired motorists on public roadways.

NOW, THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares its support for the application for the FY23 Year End Holiday Drive Sober or Get Pulled Over Crackdown Grant in the amount of \$10,500.00.

BE IT FURTHER RESOLVED, that the Business Administrator be and is hereby authorized to sign the aforesaid grant application and execute the grant agreement for and on behalf of the Township of Edison.

RESOLUTION R.656-112023

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A SHARED SERVICES AGREEMENT FOR ELEVATOR SAFETY SUBCODE SERVICES WITH THE TOWNSHIP OF WOODBRIDGE

WHEREAS, the Township of Edison (hereinafter referred to as “Edison”) is a municipal corporation in the County of Middlesex, State of New Jersey; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A: 65-1, et. seq. Edison is authorized to enter into an agreement with other local units to provide jointly (or through the agency of one of them on behalf of the other) any service which such entity may legally perform for itself; and

WHEREAS, in the spirit of mutual cooperation, Edison has the capacity of and seeks to share elevator safety subcode services with the Township of Woodbridge (hereinafter referred to as “Woodbridge”) and collectively it has been determined that such services can be more efficiently provided for both Edison and Woodbridge residents; and

WHEREAS, Edison and Woodbridge previously entered into a Shared Services Agreement for elevator subcode services in 2019 for a period not to exceed four (4) years; and

WHEREAS, Edison and Woodbridge wish to renew the Shared Services Agreement for elevator safety subcode services for a period not to exceed four (4) years; and

WHEREAS, the yearly estimated costs and revenues for the duration of this agreement is \$146,770.00, Edison will receive 20% of these revenues and Woodbridge will receive 80% of these revenues; and

WHEREAS, by entering into this agreement, Edison will not be paying for inspection and fees which result in a savings of \$15,106.00 and through the generation of revenue and savings will result in an estimated of \$45,000.00 of savings and revenue to Edison.

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

1. The Mayor and Township Clerk are hereby authorized to execute the Shared Services Agreement for elevator safety subcode services in the form substantially similar attached hereto with the Township of Woodbridge.
2. The Township Clerk is hereby instructed to forward a copy of the signed Shared Services Agreement to the New Jersey Department of Community Affairs, Director of Division of Local Government Services pursuant to N.J.S.A. 40A:65-1, et. seq.
3. This Resolution shall take effect immediately.

RESOLUTION R.657-112023

**RESOLUTION AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT TO
REMINGTON & VERNICK ENGINEERS FOR EDISON LANDFILL ENGINEER CONSULTING**

WHEREAS, the Township of Edison advertised on the Township website a request for proposals on October 4, 2023 for RFP 23-23 Engineering Consultant – Edison Landfill Closure Evaluation, Closure Design, and Permitting with a proposal opening date of October 27, 2023; and

WHEREAS, three (3) proposals were received in total; and

WHEREAS, after review and evaluation of the proposals by the Department of Engineering, it has been recommended that the contract be awarded to REMINGTON & VERNICK ENGINEERS, 429 Route 79 Suite 21, Morganville, NJ 07751; and

WHEREAS, REMINGTON & VERNICK ENGINEERS submitted a proposal for \$198,400.00; and

WHEREAS, an additional \$51,600.00 shall be included with this contract, if necessary, for any reimbursables and for the preparation of any unexpected permits which may be necessary as part of the NJDEP pre-application meeting; and

WHEREAS, the total amount of this contract shall not exceed \$250,000.00; and

WHEREAS, this Contract was awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.5, et seq.; 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. The proposals have been reviewed, and the proposal submitted by REMINGTON & VERNICK ENGINEERS, 429 Route 79 Suite 21, Morganville, NJ 07751 for RFP 23-23 Engineering Consultant – Edison Landfill Closure Evaluation, Closure Design, and Permitting, is determined to be in the best interest of the Township.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$250,000.00 and any other necessary documents, with REMINGTON & VERNICK ENGINEERS as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$250,000.00** are available in Account No. **G-02-21-0330-885-000**.

Lina Vallejo
Chief Financial Officer

RESOLUTION R.658-112023

**TOWNSHIP OF EDISON
COUNTY OF MIDDLESEX, NEW JERSEY**

**RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW
JERSEY DEPARTMENT OF TRANSPORTATION’S SAFE ROUTES TO SCHOOL PROGRAM**

WHEREAS, the FY2024 Safe Routes to School Program (“Program”) provides federal funds for infrastructure projects that facilitate walking and/or bicycling to school, including the construction or installation of sidewalks, crosswalks, signals, traffic-calming measures, and bicycle facilities; and

WHEREAS, the FY2024 Program is being administered by the New Jersey Department of Transportation; and

WHEREAS, no municipal matching funds are required through this Program; and

WHEREAS, the Township of Edison wishes to apply for these grant funds in an amount not to exceed \$2,000,000.00 for the Edison Township School Intersections Improvement Project;

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

- A. The Mayor and Council of the Township of Edison, in the County of Middlesex, State of New Jersey, formally authorize the Mayor and Clerk to submit an electronic grant application identified as “[SRS-2024-Edison Township School Intersections Improvement Project-00029](#)” to the New Jersey Department of Transportation for funding under the Safe Routes to School Program on behalf of the Township of Edison.
- B. This project involves roadways that are owned and maintained by the Township of Edison and by the County of Middlesex. The County of Middlesex will submit a letter of support stating that the Township of Edison is authorized to complete the proposed improvements along roadways owned and maintained by the County.
- C. Following the completion of the proposed project, the Township of Edison certifies that it will assume maintenance responsibility over all improvements completed with grant funding awarded under the FY2024 Safe Routes to School Program.
- D. The Township of Edison is designating Brian Piccirillo, Township Engineer as the responsible charge for this program. Brian Piccirillo is a full-time employee of the Township of Edison in the role of Design Engineer and will be the responsible charge for the proposed Federal-aid construction project.
- E. Upon receipt of a grant award, the Mayor, or those in said title, is hereby authorized to sign the grant agreement on behalf of Edison Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.
- F. This resolution shall take effect immediately upon passage.

RESOLUTION R.659-112023

RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE TOWNSHIP OF EDISON TO CONDUCT A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES THE PROPERTIES IDENTIFIED ON THE OFFICIAL TAX MAPS OF THE TOWNSHIP AS BLOCK 340, LOTS 1.02, 1.30, and 2.01 (A/K/A 41 GLENDALE AVENUE) QUALIFY AS A CONDEMNATION AREA IN NEED OF REDEVELOPMENT IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the municipal council (“**Municipal Council**”) of the Township of Edison (the “**Township**”) must authorize the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

WHEREAS, the Municipal Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the properties commonly known on the Official Tax Maps of the Township as Block 340, Lots 1.02, 1.30, and 2.01 (a/k/a 41 Glendale Avenue) (hereinafter the “**Condemnation Study Area**”), to determine whether the Condemnation Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as a condemnation area in need of redevelopment with the powers of eminent domain; and

WHEREAS, the redevelopment area determination requested hereunder authorizes the Township and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “**Condemnation Redevelopment Area**”).

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as a condemnation area in need of redevelopment.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcel contained therein and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically N.J.S.A. 40A:12A-6, after giving due notice of (i) the proposed boundaries of the Condemnation Study Area and stating that a map has been prepared and can be inspected at the Township clerk’s office and (ii) the date of the hearing to any persons who are interested in or would be affected by a determination that the Condemnation Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Condemnation Study Area is being investigated as a Condemnation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Condemnation Study Area is an area in need of redevelopment. All objections to a determination that the Condemnation Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Condemnation Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Municipal Council as to whether the Municipal Council should designate all or some of the Condemnation Study Area as a condemnation area in need of redevelopment.

Section 7. The designation of all or some of the Condemnation Study Area as an area in need of redevelopment, if such designation is made, shall authorize the Township and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain.

Section 8. This Resolution shall take effect immediately.

RESOLUTION R.660-112023

**AUTHORIZING THE TRANSFER OF FUNDS IN THE CALENDAR YEAR 2023 CURRENT
FUND APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-59**

WHEREAS, N.J.S.A. 40A:4-59 authorizes the transfer of funds during the last two months of a fiscal year and during the first three months of the subsequent fiscal year; and

WHEREAS, certain calendar year 2023 appropriations as budgeted are insufficient to meet the needs for which those appropriations were originally established while certain other appropriations appear to have surplus balances not currently needed to pay claims for which they were budgeted; and

WHEREAS, the following details explain the accounts to which funds need to be transferred and the accounts from which funds will be transferred from to ensure that adequate appropriation balances exist where needed to pay approved claims against the Township;

TO:							
3-01-20-0155-001-027		Legal Dept Legal Services				\$	300,000.00
3-01-23-0220-000-250		Employee Group Health Insurance				\$	1,000,000.00
3-01-23-0229-000-200		Insurance & Surety				\$	120,000.00
3-01-26-0310-000-030		Public Bldgs & Grounds Materials & Supplies				\$	30,000.00
3-01-27-0330-001-032		Health Clothng & Uniforms				\$	12,500.00
3-01-27-0330-001-036		Health Other Office Supplies				\$	12,500.00
TOTAL							\$ 1,475,000.00
FROM:							
3-01-20-0100-001-011		Business Administrator Full Time S&W				\$	80,000.00
3-01-20-0165-000-011		Engineering Services Full Time S&W				\$	100,000.00
3-01-21-0180-001-028		Planning Board Other Professional Services				\$	100,000.00
3-01-25-0240-000-011		Police Dept Full Time S&W				\$	1,000,000.00
3-01-25-0265-001-011		Fire Fighting Full Time S&W				\$	150,000.00
3-01-22-0195-000-011		Construction Enforcing Full Time S&W				\$	45,000.00
TOTAL							\$ 1,475,000.00