

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
MONDAY, FEBRUARY 26, 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, Desi Talk and News India Times on December 12, 2023 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **ADMINISTRATIVE AGENDA:
FROM MAYOR SAM JOSHI:**
 - a. Appointment of Jeffrey Davids to the Veterans Committee
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution authorizing extending Contracts with Various Township Professional until March 31, 2024.
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through February 22, 2024
 - b. Resolution authorizing refund in the amount of \$572,130.97 for redemption of tax sale certificates.
 - c. Resolution authorizing refund for Tax Overpayments, totaling \$24,190.17
 - d. Resolution authorizing refund for Sewer Overpayments, totaling \$1,050.12.
 - e. Resolution authorizing refund for Water Overpayments totaling \$46,555.46.
 - f. Resolution authorizing adjustment and refund for overpayments (if needed) of State Tax Appeals totaling, \$17,669.33.
 - g. Resolution authorizing Assessor Settlement for Tax Appeals
 - h. Resolution authorizing Temporary Emergency Appropriations for 2024 Sanitation Budget.
 - i. Resolution authorizing Temporary Emergency Appropriations for 2024 Municipal Budget.
10. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
 - a. This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 22-30-01: 2022 ROADWAY RESURFACING PROGRAM (VARIOUS STREETS) CONTRACT 1 and authorizes FINAL CONTRACT PAYMENT including final retainage

totaling in the amount of \$44,402.09 and close-out of the construction project.

- b. Resolution Releasing of Cash Maintenance Bond to Leonard Cursi Construction Co. Inc, 3808 Fleet Avenue, South Plainfield, NJ 07080, for 223 & 227 Fleet Avenue and 60 Salem Street, Application P5225, in Account # CP211112LR, Subaccount# 68392612.
- c. Resolution Releasing 10% Cash Performance –Receipt of Maintenance Bond, U-Haul (American Real Estate), for U-Haul 110 Route 1 and Leo Street. Application # P13-2016, in Account CP180103U-1, Subaccount # 68392085.
- d. Resolution Refunding Cash Performance Guarantee – Receipt of Maintenance Bond to U-Haul (American Real Estate), 210 US Hwy 46, Saddle Brook, NJ 07763, for U-Haul 110 Route 1 and Leo Street. Application # P13-2016 in Account # T-13-00-1000-000-124.
- e. Resolution Refunding 10% Cash Performance to Metuchen Catholic Charities Senior Development, LLC, (Domus Corporation), having offices at 590 North 7th Street, Newark, NJ 07107, for 635 Amboy Avenue – St. Paul the Apostle Senior Housing, Application P4-2017, Account # CP200203ME, Subaccount # 68392365.
- f. Resolution Release of Performance Guarantee #LICX1192500 to Lexon Insurance Company, having offices at 12890 Lebanon Road, Mount Juliet, TN 37122, for 635 Amboy Avenue St. Paul the Apostle Senior Housing, Application P4-2017, Block 748, Lot 36.
- g. Resolution Releasing Maintenance Bond# CSC-227520M to Colonial Surety Company, 123 Tice Boulevard, Ste 250, Woodcliff Lake, NJ 07677-9906 for Contract BID# 21-03-04 – NJDOT 2020 NEW DOVER ROAD REHABILITATION.
- h. This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Federal Business Center, for the Planning Board Concept Application
- i. This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by AAPFED Property, LLC, for the Planning Board application No. P06-2022
- j. Resolution Refunding Tree Maintenance Bond to GMRI, Inc. and Affiliated Entities per Schedule A, Attn: Angela Simmons, Corporate Tax Dept., 1000 Darden Center Drive, Orlando, FL 32837, for Seasons 52, 217 Lafayette Ave, Menlo Pk. Mall Edison, NJ 08837, Account # 7762575939.
- k. Resolution Refunding Engineering Inspection Fees to Metuchen Catholic Charities Senior Development, LLC (Domus Corporation), 590 North 7th Street, Newark, NJ 07107, for 635 Amboy Avenue – St. Paul the Apostle Senior Housing, Edison, NJ 08837, Application: P4-2017, Account # EI200122ME, Subaccount # 68392343.
- l. Resolution Refunding Engineering Inspection Fees to GMRI, Inc. and Affiliated Entities per Schedule A, Attn: Angela Simmons, Corporate Tax Dept., 1000 Darden Center Drive, Orlando, FL 32837 for Seasons 52, 217 Lafayette Avenue, Edison, NJ 08837, Application: P8-2011, Account # 7760296225.
- m. Resolution Refunding Tree Maintenance Bond to Minakshi Shah, having an address at 4 Quincy Road, Edison, NJ 08820 for 4 Quincy Road, Edison, 08820, Permit TRP 13-181 , Account # TP7762575996.
- n. Resolution Rejecting All Bids for Sports Building Construction Project Manager.

- o. Resolution to submit an award extension request for the LA-2022 MA Edison Township station Pedestrian Improvement Project to the New Jersey Department of Transportation.
11. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Resolutions to release Street Opening Escrow (4)
 - b. Resolution Authorizing Change Order # 1 For Public Bid No. 23-06-14 with W.E. Timmerman Co., Inc. for Sweeper Parts (\$13,000.00)
 - c. Resolution Awarding Contract/Purchase Order(S) to Various Vendors for Facilities Maintenance, Janitorial and Industrial Supplies (\$251,500.00)
12. **FROM THE DEPARTMENT OF RECREATION:**
- a. Resolution authorizing a fee wavier for Park Rental fee for Lena Harris Foundation.
 - b. Resolution authorizing a reimbursement for ABC Program
 - c. Resolution refunding security deposit to Indo-American Festival, Inc.
13. **FROM THE CHIEF OF FIRE:**
- a. Resolution authorizing the 2023 LOSAP Payment to AIG Valic C/O JP Morgan Chase in the amount of \$14,000.00.
 - b. Resolution authorizing the Purchase of One (1) New and Unused 2024 or Newer 110' Rear Mount Aerial Ladder with Options (\$1,623,214.00)
14. **FROM THE CHIEF OF POLICE:**
- a. Resolution authorizing submission for FY24 Distracted Driving Crackdown Grant.
 - b. Resolution Authorizing the Township of Edison to Purchase a Police Vehicle through the Cranford Police Cooperative Pricing System (\$45,848.00)
15. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**
16. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING,
AND FINAL ADOPTION:**
- O.2208-2024 AN ORDINANCE AUTHORIZING THE SALE OF
TWO TOWNSHIP PROPERTIES KNOWN AS
BLOCK 491.01 LOT 30 AND BLOCK 491.01 LOT 33,
(CLINTON AVENUE) TOWNSHIP OF EDISON, NEW
JERSEY.**
- O.2209-2024 AN ORDINANCE AMENDING SECTION 39-12.23
"SCHEDULE OF ESCROW DEPOSIT FEES" OF THE
CODE OF THE TOWNSHIP OF EDISON**
- O.2210-2024 AN ORDINANCE AMENDING SECTIONS 36-7
"MAJOR SUBDIVISIONS", 36-6.1 "SKETCH PLAT;
APPLICATION REQUIREMENTS", 36-9.6
"PRELIMINARY SITE PLANS", 36-9.7 "FINAL SITE**

**PLAN”, 27-2.11 “LARGE WATER SERVICES”, 36-8.2
“PRELIMINARY SITE PLAN APPROVAL” AND 39-
12.4 “HEARINGS” OF THE CODE OF THE
TOWNSHIP OF EDISON TO UPDATE AND
MODERNIZE THE AVAILABILITY OF
ELECTRONIC SUBMISSIONS ON APPLICATIONS
FOR DEVELOPMENT**

**O.2211-2024 AN ORDINANCE AMENDING CHAPTER 37
 (“ZONING”) REQUIREMENTS AND LAND USE
 REGULATIONS FOR CANNABIS BUSINESS.**

17. COMMUNICATIONS:

- a. Email received from Biral Patel regarding Cannabis

18. DISCUSSION ITEMS:

Councilmember Brescher

- a. Discussion format
- b. Cannabis

Councilmember Coyle

- a. None

Councilmember Harris

- a. When does construction of Charlie Brown’s site begin?
- b. What’s the status of the property at Clive/Mason?
- c. Any projections on when the former Ferrante House will be ready to use, for either indoor or outdoor events?
- d. Can we recognize and honor Black History Month going forward?
- e. Is the Seniors Social worker trained to provide SHIP assistance? (State health insurance assistance program)
- f. Where can seniors find their schedule for Minnie Veal?
- g. If seniors don’t have internet, how do they get info about the various programs?
- h. How many nutrition programs meals are delivered daily?
- i. Will a new rec center be built on donated Hertz property?
- j. When will North Edison Baseball/softball parking lot be paved?
- k. What kind of revenue can the town expect from the cannabis dispensaries and what would be impact for taxpayers?
- l. For combined council meetings, can we please move up the public comments to the beginning of the meeting? And in addition, can we provide them with answers as soon as everyone has had their chance to ask a question? It’s not fair to them to keep them waiting, as we did at the last combined meeting.

Councilmember Patil

- a. North Edison Sr Centers: : Operation time. Did we hire staff to operate this facility as Sr. Center facility? What all Sr programs will be conducted

in Minnie B Veal? Is this facility equipped and certified to be used for Seniors (safety, security, basic amenities including handicap accessible bathrooms, parking etc) Where the current impacted programs will be relocated. What is the rough spending to convert a recreational facility to Sr Center (if that's the intent) and under what bond this was covered.

- b. Approved bond \$ in year 2022, 2023 and 2024 with individual categories. How much bond money is used by each category, balance left, plan to use or surrender the bond fund.
- c. Glendale funding contribution details and development plans (vision)
- d. Council Technology Spending approvals - 2022 and 2023 (by technology application)
- e. Revised Tree Ordinance
Grove Ave traffic report for 25mph speed change
- f. Number of traffic tickets issued on Oak Tree Rd between Wood Ave and Grove, Plainfield to Wood Ave
- g. Taxpayers questions
- h. Questions not answered from prior meetings

Councilmember Poyner

- a. Adopt-An-Area Program Interest
- b. Cannabis Ordinance & Regulations
- c. Combined Meeting Procedure Recommendation

Councilmember Shmuel

- a.

Council President Patel

- a. Engineer Committee
- b. Economic Developer
- c. Senior Citizen (Ride and Medicare)
- d. Combined Meeting format
- e. Master Plan

19. **ADJOURNMENT**

RESOLUTION AUTHORIZING EXTENDING CONTRACTS WITH VARIOUS TOWNSHIP PROFESSIONALS UNTIL MARCH 31, 2024

WHEREAS, the Municipal Council (“**Municipal Council**”) of the Township of Edison (“**Township**”) has determined that it is in its best interests and those of Township residents to engage qualified professional consultants, and the Township is authorized pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* (“**Local Contracts Law**”) to contract for “professional services” as it may require; and

WHEREAS, in January 2024, the Municipal Council adopted Resolution R.016-012024 authorizing the award/extension of professional services contracts to the professionals listed herein expiring February 29, 2024; and

WHEREAS, the Township of Edison and the Municipal Council desire to extend each of the professional services contracts until March 31, 2024 at the rates set forth in the 2023 agreements and this resolution of the Municipal Council authorizing same as indicated herein; 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 said professional services are essential to the ongoing function of Township operations; and

WHEREAS, for these reasons, the Municipal Council desires to extend each of the Professional Services Contracts until March 31, 2024, as indicated below; and

Township Attorney - Rainone Coughlin Minchello - not to exceed \$60,000.00

Municipal Auditor - PKF O’Connor Davies LLP - not to exceed \$17,500.00

Bond Counsel - McManimon Scotland & Baumann LLC – not to exceed \$10,000.00

Township Tax Appeal Counsel - not to exceed combined total of \$19,000.00

- James P. Nolan & Associates
- Hoagland Longo

Township Labor Counsel – not to exceed combined total of \$20,000.00

- Ruderman & Roth, LLC
- Cleary, Giacobbe, Alfieri, Jacobs
- Rainone Coughlin Minchello

Conflict Attorney – not to exceed a combined total of \$5,000.00

- Cleary Giacobbe Alfieri & Jacobs
- Ruderman and Roth

Consulting Engineer - CME Associates – not to exceed \$15,000.00

Consulting Water Engineer – not to exceed combined total of \$20,000.00

- CME Associates
- T & M Associates

Consulting Sewer Engineer – not to exceed combined total of \$20,000.00

- CME Associates
- T & M Associates

Financial Advisor - NW Financial Group LLC - not to exceed \$9,000.00

Insurance Broker - Brown & Brown Metro LLC - not to exceed \$10,000.00

Environmental Consultant – not to exceed combined total of \$7,500.00

- Prestige Environmental
- T & M Associates
- Colliers Engineering & Design

Risk Management Consultant - Acrisure – not to exceed 6% of annual assessment (pro-rated)

Appraisal Services for Tax Court Appeals – not to exceed combined total of \$10,000.00

- Associated Appraisal Group
- Integra Realty Resources

Redevelopment Attorney - McManimon Scotland & Baumann LLC – not to exceed \$10,000.00

Consulting Architect – not to exceed \$10,000.00

- Sage Arch
- USA Architects

Public Relations & Communications Consulting - Vision Media Marketing Inc. – not to exceed \$5,000.00

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 Professional Services Contracts are hereby extended until March 31, 2024, at the rates set forth in each 2023 agreement and this resolution of the Municipal Council authorizing same.
2. A certificate showing the availability of funds for the extension of the Professional Services Contracts authorized hereby has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2024 calendar year.
3. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate any of the Professional Services Contracts.
4. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2024 calendar year, funds for the foregoing professional services are available.

Lina Vallejo
Chief Financial Officer

9. a.

RESOLUTION R

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING FEBRUARY 21, 2024

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, February 21, 2024

FUND	AMOUNT
Current	\$49,256,624.44
Affordable Housing	1,318.00
Capital	134,443.37
Cash Performance	0.00
CDBG	145,711.25
Developers Escrow	1,153.75
Dog (Animal Control)	37,889.00
Federal Forfeited	0.00
Employee Tax	0.00
Grant Funds	23,225.84
Law Enforcement	0.00
Open Space	0.00
Park Improvements	24,794.71
Payroll Deduction	0.00
Sanitation Fund	193,551.38
Self-Insurance	0.00
Sewer Utility	114,256.04
Street Opening	6,058.00
Tax Sale Redemption	984,191.21
Tree Fund	0.00
Tree Planting	0.00
Trust	102,108.81
Edison Water Utility	559,825.30
Edison Landfill Closure Trust	0.00
TOTAL	\$51,585,148.10

/s/ Lina Vallejo
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.

9.b.

RESOLUTION

Authorizing refund for redemption of tax sale certificates

WHEREAS, the Tax Collector of the Township of Edison, Donna Bobik, reports and advises that at various sales of land for delinquent taxes held by the Edison Township Collector of Taxes, Middlesex County, New Jersey, the attached listing of tax sale certificates were sold; and

WHEREAS, the Tax Collector further reports that the said tax sale certificates have been redeemed thereof, and further advises that the purchasers of said property are legally entitled to a refund of monies paid at the time of redemption.

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

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison, that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling **\$ 572,130.97**.

RESOLUTION

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 **\$24,190.17**.

RESOLUTION

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 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 **\$1050.12**.

RESOLUTION

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 **\$46,555.46**.

RESOLUTION

Authorizing Overpayment Refund caused by Successful Tax Court Appeal

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgments from the Tax Court of New Jersey for the cases on list attached, and

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the properties has been reduced for the for the tax years indicated in the list, including Freeze Act Year(s), if any, as per provisions of N.J.S.A. 54:51A-8 (Freeze Act), and

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount and for the years listed, totaling **\$ 8,994.79**, and may also cause additional real estate tax overpayments for affected tax years for which the tax rate or assessment may not have been finalized, or payment not received or posted at the time of this resolution, and

WHEREAS, per N.J.S.A. 54:3-27.2 (**Refund of Excess Taxes; Interest**), “in the event a taxpayer is successful in an appeal from an assessment on real estate property, the respective taxing district shall refund any excess taxes paid, together with interest thereon from the date of payment at a rate of 5% per annum, less any amount of taxes, interest, or both, which may be applied against delinquencies pursuant to section 2 of P.L.1983, c.137 (C.54:4-134), within 60 days of final judgment.”, and

WHEREAS, Upon request the tax payer or legal representative and confirmation of the Township’s Tax Appeal Lawyer for the cases interest may be owed, if not waived or if paid after the agreed deadline for waiving, and may be needed to be paid also.

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

- 1) Aforementioned recitals are incorporated herein as though fully set forth at length.
- 2) Tax Collector shall and is hereby authorized to adjust the tax accounts to reflect the reductions of assessments ordered by the tax court as indicated above.
- 3) Appropriate official of the Township of Edison, shall and is hereby authorized to draw check to the property owner or legal representative in the amounts:
 - a. Listed as part of this resolution totaling **\$ 17,669.33**.
 - b. Calculated by the Tax Collector after the setting of the tax rate and final assessment or further review payments, if at such time the account reflects a further overpayment related to this resolution.
 - c. Of interest at a rate of 5% per annum from the due date to the date of the payments as calculated by the Tax Collector upon request and confirmation of the Township’s Tax Appeal Lawyer.

FEBRUARY 28, 2024

RESOLUTION

WHEREAS, number tax appeals on property in the Township of Edison are before the Middlesex County Board of Taxation and the Tax Court of New Jersey each year; and

WHEREAS, the time frames involved with filing of appeals and the potential need to file counter appeals on behalf of the Township of Edison, the filing of correction of errors petitions, rollback assessment petitions, and the making of routine decisions regarding the course of appeals do not provide for sufficient time for the Township Council to review and provide input on these matters; and,

WHEREAS, many cases may be compromised, or as commonly referred to as being settled, with a net cost of refunded tax dollars which does not exceed \$10,000.00 for each tax year appealed; and

WHEREAS, it is in the best financial interests of the Township to permit the Tax Assessor to direct and compromise tax litigation.

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

1. The Tax Assessor, upon review and approval of the Township's lawyer(s) responsible for handling tax appeals and the administration, is hereby authorized to direct the handling of real property tax appeals and related matters before the Middlesex county board of Taxation and the Tax Court of New Jersey, including by way of example, the filing and withdrawal of appeals on behalf of the Township of Edison, the filing and withdrawal of counter claims to appeals filed by property owners, the filing and withdrawal of motions on behalf of the Township of Edison, to direct and assist other professionals retained by the Township of Edison to assist with said matters, and to assist and direct other routine matters without prior Township council action, subject to the following conditions:
 - a. The Tax Assessor is hereby authorized to compromise tax litigation matters before the Middlesex county Board of Taxation and/or the Tax Court of New Jersey where the net refund of tax dollars does not exceed \$10,000 for each tax year appealed without prior Township Council action.
 - b. Should litigation before the Tax Court of New Jersey be cumulative for more than three years; net tax refund will not exceed \$50,000 without prior Township Council approval.
 - c. The Tax Assessor shall discharge these responsibilities in the best interest of the Township of Edison
2. This resolution will nullify and supersede Resolution R.324-072020

NOW, THEREFORE BE IT FURTHER RESOLVED, as a result of the above, by the Township Council of the Township of Edison, New Jersey as follows:

1. The Tax Collector shall and is hereby authorized to adjust the tax accounts to reflect the reductions of assessments after ordered by the tax court for the maximum amounts as indicated above.
2. Appropriate official of the Township of Edison, shall and is hereby authorized to draw check to the property owner or legal representative in the amounts:
 - a. Ordered by the judgement up to the maximum amounts as indicated above.
 - b. Calculated by the Tax Collector after the setting of the tax rate and final assessment or further review payments, if at such time the account reflects a further overpayment related to this resolution.
 - c. Of interest at a rate of 5% per annum from the due date to the date of the payments as calculated by the Tax Collector upon request and confirmation of the Township's Tax Appeal Lawyer.

This resolution shall remain in force and effect until superseded by a subsequent Resolution.

RESOLUTION

Authorizing Temporary Emergency Appropriations for 2024 Sanitation Budget

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

WHEREAS, the date of this Resolution is prior to the adoption of the 2024 Calendar Year Budget,

WHEREAS, if additional funds are not budgeted, the public welfare will be adversely affected; and

WHEREAS, it is the recommendation of the Chief Financial Officer that this emergency temporary appropriation be authorized in the amount of **\$1,959,675.28** for Sanitation Fund in accordance with amount below; and

WHEREAS, this appropriation brings the 2024 year to date temporary appropriation for Sanitation Fund to **\$5,047,676.22**. This brings the Sanitation Fund temporary appropriations to 42.91% of the 2023 budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Edison, County of Middlesex, New Jersey, that in accordance with N.J.S.A. 40A:4-20, an emergency temporary appropriation be and same is hereby made for in the amount of **\$1,959,675.28** for Sanitation Fund and that said emergency temporary appropriation shall be provided in full in the 2024 budget.

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

	2024-02 BUDGET
SANITATION FUND	EMERGENCY APPROPRIATION
SANITATION Salary	176,904.27
SANITATION Other Expenses	738,367.32
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	567,350.45
SANITATION Public Emp Retirement Sys (PERS)	151,178.23
SANITATION Social Security (OASI)	47,500.00
SANITATION Disposal Fees	162,916.67
SANITATION Capital Outlay	92,083.34
SANITATION Unemployment Compensation Insurance	2,125.00
SANITATION Edison Landfill Closure Trust	21,250.00
TOTAL SANITATION FUND	1,959,675.28

RESOLUTION

Authorizing Temporary Emergency Appropriations for 2024 Municipal Budget

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

WHEREAS, the date of this Resolution is prior to the adoption of the **2024** Calendar Year Budget,

WHEREAS, if additional funds are not budgeted, the public welfare will be adversely affected; and

WHEREAS, it is the recommendation of the Chief Financial Officer that this emergency temporary appropriation, in accordance with the amounts listed further below, be authorized for total amounts of: **\$23,137,401.24** for Current Fund,
\$1,178,747.78 for Water
\$4,975,996.48 for Sewer; and

WHEREAS, this appropriation brings the **2024** year to date temporary appropriation for Current Fund to **\$77,243,400.36**,
for Water Utility to **\$5,608,643.32**, and
for Sewer Utility to **\$12,409,156.61**.

This brings the temporary appropriations to **39.84%** (current), **34.82%** (Water) and **46.27%** (Sewer) of the **2023** budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Edison, County of Middlesex, New Jersey, that in accordance with N.J.S.A. 40A:4-20, an emergency temporary appropriation be and same is hereby made for in the amount as follow, and that said emergency temporary appropriations shall be provided in full in the **2024** budget:

\$23,137,401.24 for Current Fund,
\$1,178,747.78 for Water
\$4,975,996.48 for Sewer.

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

FUND	2024-02 BUDGET
CURRENT FUND	EMERGENCY APPROPRIATION
BUSINESS ADMINISTRATOR Salary	65,509.76
BUSINESS ADMINSTRATOR Other Expenses	14,020.83
PURCHASING Salary	21,938.40
PURCHASING Other Expenses	13,802.16
PURCHASING CENTRAL STORE Other Expenses	3,743.12

COMMUNICATIONS/EDISON TV Salary	22,686.44
COMMUNICATIONS/EDISON TV Other Expenses	5,592.49
PERSONNEL/HR Salary	23,785.32
PERSONNEL/HR Other Expenses	5,286.64
MAYOR Salary	9,986.37
MAYOR Other Expenses	3,434.57
COUNCIL Salary	8,194.00
COUNCIL Other Expenses	9,205.92
MUNICIPAL CLERK Salary	16,370.65
MUNICIPAL CLERK Other Expenses	11,436.68
ETHICS COMMISSION Other Expenses	745.53
FINANCE DEPARTMENT Salary	49,503.95
FINANCE DEPARTMENT Other Expenses	6,899.17
AUDIT SERVICES	33,902.07
DATA PROCESSING Salary	14,923.69
DATA PROCESSING Other Expenses	5,000.00
TAX COLLECTION Salary	16,551.66
TAX COLLECTION Other Expenses	2,017.13
TAX ASSESSMENT Salary	25,655.64
TAX ASSESSMENT Other Expenses	11,901.27
LEGAL DEPARTMENT Salary	7,226.49
LEGAL DEPARTMENT Other Expenses	46,070.00
ENGINEERING SERVICES Salary	60,477.41
ENGINEERING SERVICES Other Expenses	26,929.49
PLANNING BOARD Other Expenses	15,820.62
ENVIRONMENTAL COMM Other Expenses	92.09
ZONING BOARD Other Expenses	4,264.17
PLANNING & ZONING DEPT Salary	36,838.85
PLANNING & ZONING Other Expenses	12,289.59
CONSTRUCTION ENFORC AGENCY Salary	125,794.29
CONST ENF AGENCY Other Expenses	113,825.00

RENT CONTROL BOARD Salary	1,062.50
RENT CONTROL BOARD Other Expenses	99.17
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GROUP HEALTH INSURANCE	1,000,000.00
UNEMPLOYMENT INSURANCE EXPENSE	14,875.00
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LOSAP-Other Expenses	7,083.34
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POLICE DEPARTMENT Salary	2,135,646.94
POLICE DEPARTMENT Other Expenses	700,906.25
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DISPATCH 911 Salary	150,026.41
DISPATCH 911 Other Expenses	38,062.72
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OFFICE OF EMRGNCY MGMT Other Expenses	1,062.50
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AID TO VOL FIRE	3,895.84
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AID TO VOL FIRST AID	7,437.50
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FIRE FIGHTING Salary	1,559,625.59
FIRE FIGHTING Other Expenses	77,857.95
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FIRE PREVENTION Salary	31,008.64
FIRE PREVENTION Other Expenses	7,990.00
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FIRE HYDRANT CHARGES	123,816.67
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STREETS & ROADS Salary	120,989.64
STREETS & ROADS Other Expenses	35,133.34
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SOLID WASTE RECYCLING Salary	80,030.13
SOLID WASTE RECYCLING Other Expenses	6,853.12
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BUILDINGS & GROUNDS Salary	122,234.82
BUILDINGS & GROUNDS Other Expenses	35,153.38
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MUNICIPAL GARAGE Salary	70,560.62
MUNICIPAL GARAGE Other Expenses	11,854.18
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POLICE VEHICLES Salary	20,654.06
POLICE VEHICLES Other Expenses	19,054.17
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CONDO COMMUNITY COSTS	11,333.34
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HEALTH Salary	124,063.10
HEALTH Other Expenses	10,692.29
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SENIOR CITIZEN Salary	36,792.75

SENIOR CITIZEN Other Expenses	3,222.92
RECREATION Salary	135,444.54
RECREATION Other Expenses	46,883.53
PARKS & TREES Salary	160,848.41
PARKS & TREES Other Expenses	32,229.17
FREE PUBLIC LIBRARY	1,123,472.63
ACCUMULATED LEAVE COMPENSATION Expense	14,166.67
CELEBRATION OF PUBLIC EVENTS EXPENSES	38,840.00
RESERVE FOR TAX APPEALS Expense	126,791.67
PUBLIC BUILDINGS HEAT,LIGHT,POWER	30,080.79
STREET LIGHTING EXPENSE	85,000.00
PUBLIC BUILDINGS TELEPHONE	13,539.94
FUEL & LUBRICANTS Other Expenses	89,262.75
CONTINGENT Expense	3,541.67
PERS Expense	2,475,317.80
O.A.S.I. (SOCIAL SECURITY)	139,189.36
Defined Contribution Retirement	2,833.34
PFRS Expense	11,143,158.00
MUNICIPAL COURT Salary	45,058.29
MUNICIPAL COURT Other Expenses	5,134.00
PUBLIC DEFENDER Salary	5,666.67
PUBLIC DEFENDER Other Expenses	141.67
TOTAL CURRENT FUND	23,137,401.24

WATER UTILITY FUND	2024-02 BUDGET EMERGENCY APPROPRIATION
WATER Operations Salary	111,008.30
WATER Operations Other Expenses	268,218.75
WATER Collections Salary	10,066.55
WATER Collections Other Expenses	3,329.17
WATER Bulk Water Purchase	531,250.00
WATER Capital Outlay	106,250.00
WATER Public Emp Retirement Sys (PERS)	140,125.01
WATER Social Security (OASI)	8,500.00
TOTAL WATER UTILITY FUND	1,178,747.78

SEWER UTILITY FUND	2024-02 BUDGET EMERGENCY APPROPRIATION
SEWER Operations Salary	153,003.76
SEWER Operations Expenses	1,729,170.84
SEWER Collections Salary	4,742.30
SEWER Collections Other Expenses	3,329.17
SEWER Sewerage Disposal Charges	2,536,369.24
SEWER Capital Improvement Projects	354,166.67
SEWER Public Emp Retirement Sys (PERS)	170,152.00
SEWER Social Security (OASI)	25,062.50
TOTAL SEWER UTILITY FUND	4,975,996.48

RESOLUTION

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 22-30-01: 2022 ROADWAY RESURFACING PROGRAM (VARIOUS STREETS) CONTRACT 1 and authorizes FINAL CONTRACT PAYMENT including final retainage totaling in the amount of \$44,402.09 and close-out of the construction project.

WHEREAS, the Township of Edison advertised for a construction contract for Public Bid: 22-30-01: 2022 ROADWAY RESURFACING PROGRAM (VARIOUS STREETS) CONTRACT 1, Township of Edison, Middlesex County, New Jersey; and

WHEREAS; P&A Construction Inc., P.O. Box 28, Colonia, NJ 07067 was awarded a construction contract through resolution R. 663-102022 in a contract amount not to exceed \$2,220,339.60 for the project; and

WHEREAS; the Township Engineer has reviewed the project and certifies the construction work has been completed, a two-year (2-year) maintenance bond, in an amount equal to 100% of the final as-built construction cost of \$2,220,104.91 for the project has been received.

WHEREAS; the Township Engineer recommends acceptance of the project, release of the performance bond and final payment including retainage be made to P&A Construction Inc., P.O. Box 28, Colonia, NJ 07067, in an amount of \$44,402.09 for a total construction contract as-built cost of \$2,220,104.91.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the project under Public Bid No 22-30-01: 2022 ROADWAY RESURFACING PROGRAM (VARIOUS STREETS) CONTRACT 1, is deemed accepted by the Township of Edison, New Jersey, the project subject to the provisions of the maintenance bond, and that the performance bond may be released and that final payment, including retainage, shall be made to P&A Construction Inc., P.O. Box 28, Colonia, NJ 07067, in the amount not to exceed \$2,220,339.60 for a total construction contract as built cost of \$2,220,104.91 and any unused funds be unencumbered.

10. b.

RESOLUTION

EXPLANATION: Resolution Releasing of Cash Maintenance Bond to Leonard Cursi Construction Co. Inc, 3808 Fleet Avenue, South Plainfield, NJ 07080, for 223 & 227 Fleet Avenue and 60 Salem Street, Application P5225, in Account # CP211112LR, Subaccount# 68392612.

WHEREAS, the Township Engineer advises that an inspection has been made of 223 & 227 Fleet Avenue and 60 Salem Street located at Block: 590.M and Lots: 23 & 8A (New Lots: 23.01, 23.02 & 8.02) , Application # P5225, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on November 5, 2021, Leonard Cursi Construction Co. Inc., posted a Cash Maintenance Bond, Check #10565, dated November 4, 2021 of Bank of America in the amount of \$2,783.04 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 November 5, 2021 in the amount of \$2,783.04, plus applicable interest, on deposit in account # CP211112LR, subaccount # 68392612. The principal being Leonard Cursi Construction Co. Inc., having offices at 3808 Fleet Avenue, South Plainfield, NJ 07080, 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 \$2,783.04 , 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 \$2,783.04, plus accrued interest on deposit in account # CP211112LR, subaccount # 68392612, to the applicant Leonard Cursi Construction Co. Inc, having offices at 3808 Fleet Avenue, South Plainfield, NJ 07080.

RESOLUTION

EXPLANATION: Resolution Releasing 10% Cash Performance –Receipt of Maintenance Bond, U-Haul (American Real Estate), for U-Haul 110 Route 1 and Leo Street. Application # P13-2016, in Account CP180103U-1, Subaccount # 68392085.

WHEREAS, the Township Engineer advises that an inspection has been made of U-Haul, 110 Route 1 and Leo Street, Block: 300.A (New 300.01), Lot: 16.A, 17.A, 18.A, 19-25, 26.B, 27.B, (New 16.02) 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 # 103509542 of JP Morgan Bank, dated January 4, 2024 in the amount of \$6,953.70 and posted by U-Haul Company, having offices at 210 US Hwy 46, Saddle Brook, NJ 07633, for U-Haul 110 Route 1 and Leo Street, to ensure the quality of construction and guarantee maintenance over a two (2) year period.

WHEREAS, the Township Engineer, recommends the release of the 10% Cash Performance posted on in the amount of \$5,562.96 plus accrued interest, if applicable, on deposit in account #CP180103U-, subaccount# 68392035 with the Township of Edison being principle, and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to return the aforesaid 10% Cash Performance in the amount of \$5,562.96 plus accrued interest, if applicable, on deposit in account # CP180103U-, subaccount# 68392035 the applicant, U-Haul, having offices at 210 US Hwy 46, Saddle Brook, NJ 07633, for U-Haul 110 Route 1 and Leo Street.

RESOLUTION

EXPLANATION: Resolution Refunding Cash Performance Guarantee – Receipt of Maintenance Bond to U-Haul (American Real Estate), 210 US Hwy 46, Saddle Brook, NJ 07763, for U-Haul 110 Route 1 and Leo Street. Application # P13-2016 in Account # T-13-00-1000-000-124.

WHEREAS, U-Haul (American Real Estate), having offices at 210 US Hwy 46, Saddle Brook, NJ 07633, posted Cash Performance Guarantee, Check # 9419934283, on December 28, 2017, in the amount of \$55,629.60 to guarantee the installation of improvements for project known as located in Block: 300.A (New 300.01) Lots:16.A, 17.A, 18.A, 19-25, 26.B, 27.B (New 16.02) and designated Application P13-2016 ; and

WHEREAS, a final inspection has been made of U-Haul 110 Route 1 and Leo Street and the constructed improvements have been made, and the Township Engineer has determined that the project has been satisfactorily completed; and

WHEREAS, the Department of Planning and Engineering is in receipt of Maintenance Bond, Check #103509542 of JP Morgan Chase Bank, dated January 4, 2024, in the amount of \$6,953.70 to ensure the quality of construction and guarantee maintenance over a two (2) year period.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Final Acceptance of the improvements be granted, and that the Cash Performance Guarantee in the amount \$55,629.60, plus accrued interest, if applicable on deposit in account # T-13-00-1000-000-124 with the Township of Edison, be released.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to release the Cash Performance Guarantee in the amount of \$55,629.60, plus accrued interest, if applicable, on deposit in account # T-13-00-1000-000-124, to the applicant, U-Haul, having an address at 210 US Hwy 46, Saddle Brook, NJ 07763, for U-Haul 110 Route 1 and Leo Street.

RESOLUTION

EXPLANATION: Resolution Refunding 10% Cash Performance to Metuchen Catholic Charities Senior Development, LLC, (Domus Corporation), having offices at 590 North 7th Street, Newark, NJ 07107, for 635 Amboy Avenue – St. Paul the Apostle Senior Housing, Application P4-2017, Account # CP200203ME, Subaccount # 68392365.

WHEREAS, the Township Engineer advises that an inspection has been made of 635 Amboy Avenue – St. Paul the Apostle Senior Housing, Block: 748, Lot: 36, 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 applicant has requested the return of the 10% Cash Performance, as provided by law; and

WHEREAS, the Township Engineer, recommends the release of the 10% Cash Performance posted on January 27, 2020 in the amount of \$9,246.75 plus accrued interest, if applicable, on deposit in account # CP200203ME, subaccount # 68392365 with the Township of Edison, principal being, Metuchen Catholic Charities Senior Development LLC (Domus Corporation) having offices at 590 North 7th Street, Newark, NJ 07107 and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to return the aforesaid 10% Cash Performance in the amount of \$9,246.75 plus accrued interest, if applicable, on deposit in account # CP200203ME, subaccount 68392365, to the applicant, Metuchen Catholic Charities Senior Development LLC, having an address of 590 North 7th Street, Newark, NJ 07107, for 635 Amboy Avenue – St. Paul the Apostle Senior Housing.

RESOLUTION

EXPLANATION: Resolution Release of Performance Guarantee #LICX1192500 to Lexon Insurance Company, having offices at 12890 Lebanon Road, Mount Juliet, TN 37122, for 635 Amboy Avenue St. Paul the Apostle Senior Housing, Application P4-2017, Block 748, Lot 36.

WHEREAS, Metuchen Catholic Charities Senior Development Urban Renewal, having offices at 590 North 7th Street, Newark, NJ 07107, posted Performance Surety Bond # LICX1192500 on January 27, 2020 of Lexon Insurance Company, having offices at 12890 Lebanon Road, Mount Juliet, TN 37122, in the amount of \$83,220.75, to guarantee the installation of improvements for the project known as 635 Amboy Avenue – St. Paul the Apostle Senior Housing located in Block 748 and Lot 36 and designated Application # P4-2017; and

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

WHEREAS, a certificate of occupancy was issued on September 10, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Final Acceptance of the improvements be granted, and that the Performance Surety Bond # LICX1192500, of Lexon Insurance Company, in the amount of \$83,220.75 be released.

BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby authorized to release the Performance Surety Bond# LICX1192500, in the amount of \$83,220.75 to Lexon Insurance Company, having offices at 12890 Lebanon Road, Mount Juliet, TN 37122, for 635 Amboy Avenue - St. Paul the Apostle Senior Housing

RESOLUTION

EXPLANATION: Resolution Releasing Maintenance Bond# CSC-227520M to Colonial Surety Company, 123 Tice Boulevard, Ste 250, Woodcliff Lake, NJ 07677-9906 for Contract BID# 21-03-04 – NJDOT 2020 NEW DOVER ROAD REHABILITATION.

WHEREAS, American Asphalt & Milling Services, LLC, having an address at 96 Midland Avenue, Kearny, NJ 07032 was awarded Contract Bid# 21-03-04, Resolution R.209-042021 in the amount not to exceed \$1,026,824.51.

WHEREAS, the Township accepted and closed out the project under Resolution R.190-032022.

WHEREAS, on February 1, 2022, American Asphalt & Milling Services, LLC, having offices at 96 Midland Avenue, Kearny, NJ 07032, posted a Maintenance Bond # CSC-227520M in the amount of \$1,049,767.72 of Colonial Surety Company 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 Maintenance Bond # CSC-227520M in the amount of \$1,049,767.72. The principal being Colonial Surety Company having offices at 123 Tice Boulevard, Ste 250, Woodcliff Lake, NJ 07677-9906 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 Maintenance Bond # CSC-227520M in the amount of \$1,049,767.72.

BE IT FURTHER RESOLVED that the Township Clerk be and is hereby authorized to release the aforesaid Maintenance Bond #CSC-227520M in the amount of \$1,049,767.72, to the applicant, Colonial Surety Company, having an address at 123 Tice Boulevard, Ste 250, Woodcliff Lake, NJ 07677-9906.

10. h.

RESOLUTION

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Federal Business Center, for the Planning Board Concept Application

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by Federal Business Center for a project located at 300 Columbus Circle, Edison, NJ 08837 in Block 395 Lot 4C and Application #Concept-Admin Approval

WHEREAS ; the applicant was required to Post developers escrow fees, pursuant to Township Ordinance; and

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

WHEREAS; it is now in order that the sum \$ 663.75 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Federal Business Center; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$ 663.75 plus accrued interest, if applicable be refunded to Federal Business Center, LLC, 300 Raritan Center Parkway, Edison, NJ 08837

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 663.75 plus accrued interest, if applicable, in account # DE210122FE / 68392492 to the applicant.

10. I.

RESOLUTION

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by AAPFED Property, LLC, for the Planning Board application No. P06-2022

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by AAPFED Property, LLC for a project located at 484-500 Plainfield Avenue, Edison, NJ 08820 in Block 3.02 Lot 20.01 and Application #P06-2022

WHEREAS ; the applicant was required to Post developers escrow fees, pursuant to Township Ordinance; and

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

WHEREAS; it is now in order that the sum \$ 58,196.25 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to AAPFED Property, LLC; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$ 58,196.25 plus accrued interest, if applicable be refunded to AAPFED Property, LLC, 250 West Nyack Rd Ste 104D, West Nyack, NY 10994

RESOLUTION

EXPLANATION: Resolution Refunding Tree Maintenance Bond to GMRI, Inc. and Affiliated Entities per Schedule A, Attn: Angela Simmons, Corporate Tax Dept., 1000 Darden Center Drive, Orlando, FL 32837, for Seasons 52, 217 Lafayette Ave, Menlo Pk. Mall Edison, NJ 08837, Account # 7762575939.

WHEREAS, on November 8, 2013, GMRI having an address at 1000 Darden Center Drive., Orlando, FL 32837, posted Tree Maintenance Bond fees in the amount of \$1,575.00 , with Check No. 9266729 of Wells Fargo Bank NA, dated October 31, 2013, on deposit with the Township of Edison in account # 7762575939 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit 13-024, on the property identified as Seasons 52, 217 Lafayette Ave, Menlo Pk. Mall., Block 690, Lots 1-3, Edison, NJ, 08837;

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

WHEREAS, a certificate of occupancy was issued on November 15, 2013.

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$1,575.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$1,575.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$1,575.00, plus any accrued interest as applicable, on deposit in account # 7762575939, to GMRI, Inc. and Affiliated Entities per Schedule A, Attn: Angela Simmons, Corporate Tax Department, having an address at 1000 Darden Center Drive, for the referenced property at Seasons 52, 217 Lafayette Avenue, Menlo Park Mall, Edison, NJ 08837.

RESOLUTION

EXPLANATION: Resolution Refunding Engineering Inspection Fees to Metuchen Catholic Charities Senior Development, LLC (Domus Corporation), 590 North 7th Street, Newark, NJ 07107, for 635 Amboy Avenue – St. Paul the Apostle Senior Housing, Edison, NJ 08837, Application: P4-2017, Account # EI200122ME, Subaccount # 68392343.

WHEREAS, the Township Engineer advises that a final inspection was made of 635 Amboy Avenue – St. Paul the Apostle Senior Housing, located in Block: 748 Lot: 36, Application # P4-2017, 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 \$2,159.85, which represents the amount due and owing the applicant, be returned to Metuchen Catholic Charities Senior Development, LLC, (Domus Corporation) having an address at 590 North 7th Street, Newark, NJ 07107, Account # EI200122ME, Subaccount # 68392343.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$2,159.85, plus accrued interest, if applicable, be refunded to the applicant, Metuchen Catholic Charities Senior Development LLC (Domus Corporation) , having an address at 590 North 7th Street, Newark, NJ 08837, Account # EI200122ME, Subaccount # 68392343.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$2,159.85, plus any accrued interest, if applicable, in account # EI200122ME, Subaccount # 68392343, to Metuchen Catholic Charities Senior Development, LLC, having an address at 590 North 7th Street, Newark, NJ 07107, for the referenced properties at 635 Amboy Avenue – St. Paul the Apostle Senior Housing, Edison, NJ 08837.

RESOLUTION

EXPLANATION: Resolution Refunding Engineering Inspection Fees to GMRI, Inc. and Affiliated Entities per Schedule A, Attn: Angela Simmons, Corporate Tax Dept., 1000 Darden Center Drive, Orlando, FL 32837 for Seasons 52, 217 Lafayette Avenue, Edison, NJ 08837, Application: P8-2011, Account # 7760296225.

WHEREAS, the Township Engineer advises that a final inspection was made of Seasons 52, 217 Lafayette Avenue located in Block: 690 Lots: 3, 5 & 35.01 and Block: 691-B, Lot 3-D, Application # P8-2011, 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 \$9,949.26, which represents the amount due and owing the applicant, be returned to GMRI, Inc. and Affiliated Entities per Schedule A, Attn: Angela Simmons, Corporate Tax Dept., having an address at 1000 Darden Center Drive, Orlando, FL, 32837, Account # 7760296225.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$9,949.26, plus accrued interest, if applicable, be refunded to the applicant, GMRI, Inc. and Affiliated Entities per Schedule A, Attn: Angela Simmons, Corporate Tax Dept., having an address at 1000 Darden Center Drive, Orlando, FL, 32837, Account # 7760296225.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$9,949.26, plus any accrued interest, if applicable, in account # 7760296225, to the applicant, GMRI, Inc. and Affiliated Entities per Schedule A, Attn: Angela Simmons, Corporate Tax Dept., having an address at 1000 Darden Center Drive, Orlando, FL, 32837 for the referenced properties at Seasons 52, 217 Lafayette Avenue, Edison, NJ 08837.

RESOLUTION

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Minakshi Shah, having an address at 4 Quincy Road, Edison, NJ 08820 for 4 Quincy Road, Edison, 08820, Permit TRP 13-181 , Account # TP7762575996.

WHEREAS, on January 15, 2014, Minakshi Shah posted Tree Maintenance Bond fees in the amount of \$1,425.00 on deposit with the Township of Edison in account # TP77625996, to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 4 Quincy Road, Block 1000, Lot 10, Edison, NJ, 08820;

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

WHEREAS, a certificate of occupancy was issued January 24, 2014.

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$1,425.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$1,425.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$1,425.00, plus any accrued interest as applicable, on deposit in account # TP7762575996, to Minakshi Shah, having an address at 4 Quincy Road, Edison, NJ 08820 for the referenced property at 4 Quincy Road, Edison, NJ 08820

**RESOLUTION REJECTING ALL BIDS FOR SPORTS BUILDING CONSTRUCTION PROJECT
MANAGER**

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on December 8, 2023 for Public Bid No. 23-11-22 Sports Building Construction Project Manager with a bid opening date of January 3, 2024; and

WHEREAS, seven (7) bids were received from the following vendors:

- Legacy Construction Management Inc., 5021 Industrial Road, Wall, NJ 07727
- Colliers Project Leaders USA NE LLC, 101 Crawfords Corner Rd, Ste 3400, Holmdel, NJ 07733
- Greyhawk, 2000 Midlantic Dr, Ste 210, Mount Laurel, NJ 08054
- Tri-Form Construction Inc., 119 Liberty Street Metuchen, NJ 08840
- Netta Architects LLC, 1084 Route 22 West, Mountainside, NJ 07092
- M&M Construction Company Inc., 33 Commerce Drive, Cranford, NJ 07016
- LiRo Program and Construction Management PE PC, 333 Thornall Street, Edison, NJ 08837; and

WHEREAS, the Township of Edison is rejecting all bids as per 40A:11-13.2(a) as the lowest bid substantially exceeds the cost estimates for the goods or services; 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. 23-11-22 Sports Building Construction Project Manager are hereby rejected.

10. O.

RESOLUTION

EXPLANATION: Resolution to submit an award extension request for the LA-2022 MA Edison Township Edison Station Pedestrian Improvement Project to the New Jersey Department of Transportation.

WHEREAS, the Township received FY2022 Safe Streets to Transit Program for Edison Township Edison Station Pedestrian Improvement Project, to improve safety and accessibility for mass transit riders in the vicinity of transit facilities.

WHEREAS, the Township retained CME to prepare the design and construction plans bidding; for

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 STO0000761, to the following:

Permit Number: DEV-23-0601

Opening Location: 16 UTICA RD

Block/Lot: 1001/12

Applicant's Name & Address:

**PABLA BUILDERS LLC
125 BERNARD ST
CARTERET, NJ 07008**

Initial Deposit Date: 04/28/2023

Deposit Amount: \$11,040.00

Paid by & refunded to:

**PABLA BUILDERS LLC
125 BERNARD ST
CARTERET, NJ 07008**

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.

11. a.

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000820, to the following:

Permit Number: DEV-23-0665

Opening Location: 19 MILL RD

Block/Lot: 267.07/24

Applicant's Name & Address:

**LOCHIATTO PAVING
1607 RT 27
EDISON, NJ 08817**

Initial Deposit Date: 10/06/2023

Deposit Amount: \$2,480.00

Paid by & refunded to:

**NINA BERNER
19 MILL RD
EDISON, NJ 08817**

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

11. a.

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000814, to the following:

Permit Number: DEV-23-0658

Opening Location: 39 SANDALWOOD DR

Block/Lot: 412.04/22

Applicant's Name & Address:

**LOCHIATTO PAVING
1607 RT 27
EDISON, NJ 08817**

Initial Deposit Date: 09/22/2023

Deposit Amount: \$1,610.00

Paid by & refunded to:

**DONALD F.ANDERSON
MAUREEN ANDERSON
39 SANDALWOOD DR
EDISON, NJ 08820**

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

11. a.

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000556, to the following:

Permit Number: DEV-21-0343

Opening Location: 261 FLEET AVE

Block/Lot: 590.09/1.01

Applicant's Name & Address:

**CASSIO BUILDERS LLC
522 VERNON RD
GREENVILLE, PA 16125**

Initial Deposit Date: 5/21/2021

Deposit Amount: \$10,880.00

Paid by & refunded to:

**JENISHA B. PATEL
261 FLEET AVE
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.

11. b.

**RESOLUTION AUTHORIZING CHANGE ORDER # 1 FOR PUBLIC BID NO. 23-06-14 WITH
W.E. TIMMERMAN CO., INC. FOR SWEEPER PARTS**

WHEREAS, Resolution R.216-042023 authorized Contract No. 23-06-14 with W.E. TIMMERMAN CO., INC., 3554 Route 22 West, Whitehouse, NJ 08888, for Sweeper Parts in the amount of \$65,000.00 for the period of May 18, 2023 to May 17, 2024; and

WHEREAS, the funds awarded for this contract for Sweeper Parts have been expended and additional funds are needed while the Township is in the process of awarding a new contract; 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 amount of this change order is \$13,000.00; 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, 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 #1 to the contract with W.E. TIMMERMAN CO., INC. is hereby authorized in the amount of \$13,000.00 for a total amended contract amount of \$78,000.00.

11. c.

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO VARIOUS VENDORS FOR FACILITIES MAINTENANCE, JANITORIAL AND INDUSTRIAL SUPPLIES

WHEREAS, there is a need for facilities maintenance, janitorial and industrial supplies for the Township of Edison; and

WHEREAS, the various vendors as listed below have been awarded a State Contract under M0002 Facilities Maintenance and Repair & Operations (MRO) And Industrial Supplies:

- MSC Industrial Supply Co.
- Fastenal
- Grainger; 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 \$251,500.00 from the various vendors awarded State Contract M0002 as listed herein; and

WHEREAS, the total amount of this contract, not to exceed \$251,500.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the combined total amount not to exceed \$251,500.00 and any other necessary documents, with 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 M0002.

12. a.

RESOLUTION AUTHORIZING THE LENA HARRIS FOUNDATION TO HAVE THEIR PARK RENTAL FEE WAIVED

WHEREAS The Lena Harris Foundation, a 501 © (3) non-profit Edison organization along with non-profit 4th Quarter Elite Mentorship Foundation are requesting to have the fees waived for the use of Papianni Park on April 6, 2024 for their first inaugural 5K Walk/Run.

WHEREAS Joseph Johnson, a graduate of JP Stevens High School and founder of the Lena Harris Foundation has worked with Edison Township and Middlesex College with a mentorship program for a number of years and;

WHEREAS the main goal of the Lena Harris Foundation is to assist in finding a cure for Lupus while also hosting fundraisers, community-based events and programs for high school students.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the rental fee for use of Papianni Park on April 6, 2024 shall be waived.

12. b.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
ARCHANA TRIVEDI FOR THE ABC PROGRAM**

WHEREAS Archana Trivedi made payment in the amount of \$160.00 for her child Aarush Trivedi's participation in the ABC Program at Menlo Park Elementary School for the month of March 2024; and

WHEREAS the child was removed from the program prior to attending in March 2024; and

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$160.00 to Archana Trivedi, 132 Temple St., Edison, NJ 08820., which represents the amount for the ABC Program.

VENDOR ID	VENDOR NAME	VENDOR ADDRESS	REASON	AMT.	REQ. #
ARCHA010	ARCHANA TRIVEDI	132 TEMPLE ST., EDISON, NJ 08820	DROP OUT	\$160.00	R4-01145

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$160.00 are available in Account #4-01-55-0291-000-000.

RESOLUTION

**RESOLUTION REFUNDING SECURITY DEPOSIT TO
INDO-AMERICAN FESTIVAL, INC.**

WHEREAS, there exists an ordinance for the Township of Edison to set fees for the rental of Edison Recreation’s Showmobile; and

WHEREAS, the Indo-American Festivals Inc. rented the Showmobile for their Dhushara Festival on Saturday, October 21, 2023; and

WHEREAS, the Indo-American Festivals, Inc. paid a refundable security deposit for use of the Showmobile; and

WHEREAS, the Indo-American Festivals, Inc. is entitled to a refund.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$500.00 to Indo-American Festivals, Inc., 40 La Valencia Rd., Old Bridge, NJ 08857, which amount represents the refundable security deposit.

VENDOR ID	VENDOR NAME	VENDOR ADDRESS	REASON	AMT.	REQ. #
INDOA005	INDO AMERICAN FESTIVALS, INC.	40 LA VALENCIA RD. OLD BRIDGE, NJ 08857	SECURITY DEPOSIT	500.00	R4-00835

Q: DUSHARA_SECURITY_REFUND_reso

13. a.

RESOLUTION AUTHORIZING THE 2023 LOSAP PAYMENT TO AIG VALIC C/O JP MORGAN CHASE IN THE AMOUNT OF \$14,000.00

WHEREAS, the Township of Edison is requesting the total amount of \$14,000.00 in the calendar year of 2023 budget and desires to distribute said funds to AIG VALIC, C/O JP MORGAN CHASE, PO BOX 301154, DALLAS, TX 75303-1154 for the volunteer firefighter Length of Service Award “LOSAP” program; and

WHEREAS, for the 2023 contribution, there are fourteen (14) eligible members at one thousand dollars (1,000.00) each for a total amount of fourteen thousand dollars (\$14,000.00)

WHEREAS, funds have been certified to be available in the Reserve for LOSAP Account, Number T-01-55-0292-000-000; and;

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison in the County of Middlesex, New Jersey that the proper Township officials are hereby authorized to make the 2023 donation of \$14,000.00 as indicated herein.

13. b.

RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) NEW AND UNUSED 2024 OR NEWER 110' REAR MOUNT AERIAL LADDER 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 Safety, Division of Fire is in need of one (1) new and unused 2024 or newer Spartan 110' Rear Mount Aerial Ladder with options; and

WHEREAS, SPARTAN FIRE LLC, 907 7th Ave. North, Brandon, SD 57005 has been awarded Contract #113021-RVG-4 Firefighting Apparatus; and

WHEREAS, the total amount of this contract shall not exceed \$1,623,214.00; 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 amount not to exceed \$1,623,214.00, and any other necessary documents, with SPARTAN FIRE LLC, subsidiary of REV Group Inc., 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.
2. This contract is awarded pursuant to Public Law 2011, Chapter 139 and Local Finance Notice No. LFN 2012-10.
3. 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 **\$1,623,214.00** for the above are available as follows:

- **\$1,200,000.00** in Account No. **C-04-21-2128-102-001**
- **\$423,214.00** in Account No. **C-04-22-2163-102-001**

Lina Vallejo
Chief Financial Officer

14.a.

RESOLUTION

**FY24 Distracted Driving Crackdown
GRANT APPLICATION**

WHEREAS; the Division of Police wishes to apply for grant funding in the amount of \$7,000.00 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, FY24 Distracted Driving Crackdown for the period of 04/01/2024-04/30/2024; 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 FY24 Distracted Driving Crackdown Grant in the amount of \$7,000.00.

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.

14. b.

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE A POLICE VEHICLE THROUGH THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM

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 Cranford Police Cooperative Pricing System #47-CPCPS; and

WHEREAS, NIELSEN FORD OF MORRISTOWN INC., 170 Ridgedale Avenue, Morristown, NJ 07960 has been awarded Contract No. 23-01: Police & Administrative Vehicles (2024 Model Year), through this Cooperative Pricing System; and

WHEREAS, the total amount of this purchase shall not exceed \$45,848.00; 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 and any other necessary documents, in the amount of \$45,848.00 with NIELSEN FORD OF MORRISTOWN INC., 170 Ridgedale Avenue, Morristown, NJ 07960, the approved Cranford Police Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Cranford Police 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 **\$45,848.00** are available in account no. **C-04-18-2028-105-000**.

Lina Vallejo
Chief Financial Officer

Date

ORDINANCE NO. O.2208-2024

**AN ORDINANCE AUTHORIZING THE SALE OF TWO TOWNSHIP PROPERTIES KNOWN AS
BLOCK 491.01 LOT 30 AND BLOCK 491.01 LOT 33, TOWNSHIP OF EDISON, NEW JERSEY**

WHEREAS, the Township of Edison (hereinafter referred to as “Township”) is the owner of certain property located at 3-A Clinton Avenue, also known as Block 491.01 Lot 30 (“Lot 30”) and 5-A Clinton Avenue, also known as Block 491.01 Lot 33 (“Lot 33”), within the Township of Edison, New Jersey; and

WHEREAS, the subject properties are vacant parcels within RBB zoning area which requires a minimum lot size of 100 x 100 feet; and

WHEREAS, the subject properties contain less than the minimum size required for development under the municipal zoning ordinance and contain no capital improvements; and

WHEREAS, the subject properties are not needed for public usage; and

WHEREAS, the fair market value of each parcel has been determined by the Township Assessor to be One Hundred Thousand Dollars (**\$100,00.00**) per parcel; and

WHEREAS, there are three properties contiguous to Lot 30 identified as Block 491.01 Lot 82, Block 491.01 Lot 19, and Block 491.01 Lot 31.01; and

WHEREAS, there are four properties contiguous to Lot 33 identified as Block 491.01 Lot 81, Block 491.01 Lot 18, Block 491.01 Lot 19, and Block 491.01 Lot 31.01; and

WHEREAS, the Township of Edison desires to sell the properties known as Block 491.01 Lot 30 and Block 491.01 Lot 33, in accordance with the Local Lands and Buildings Law N.J.S.A. 40A:12-1, et. seq., which authorizes the private sale of municipal property to the owner of real property contiguous to the municipal property provided that the property is less than the minimum size required for development under the municipal zoning ordinance and is without capital improvement thereon;

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

1. Pursuant to N.J.S.A. 40A:12-1, et seq., the Township of Edison hereby authorizes the sale of Township Property known as Block 491.01, Lot 30, subject to the following minimum conditions:
 - a. The property shall be auctioned and sold only to the owner of a property contiguous to the subject property, namely:
 - i. Block 491.01, Lot 82
 - ii. Block 491.01, Lot 19; or
 - iii. Block 491.01, Lot 31.01.
 - b. The property shall be sold to the highest bidder from among the contiguous property owners, namely:
 - i. Block 491.01, Lot 82
 - ii. Block 491.01, Lot 19; or
 - iii. Block 491.01, Lot 31.01.

- c. The minimum bid price for the property shall be for not less than \$100,000.00.
 - d. As a condition of sale, the Township property known as Block 491.01, Lot 30 shall be merged with the contiguous property and shall be deed restricted from further subdivision.
 - e. Property shall be sold "as is" and subject to any and all easements, grants and restrictions of record including but not limited to rights and interests of utility companies and/or the public in and to the public right of way.
2. Pursuant to N.J.S.A. 40A:12-1, et seq., the Township of Edison hereby authorizes the sale of Township Property known as Block 491.01, Lot 33, subject to the following minimum conditions:
 - a. The property shall be auctioned and sold only to the owner of a property contiguous to the subject property, namely:
 - i. Block 491.01, Lot 81
 - ii. Block 491.01, Lot 18;
 - iii. Block 491.01, Lot 19; or
 - iv. Block 491.01, Lot 31.01.
 - b. The property shall be sold to the highest bidder from among the contiguous property owners, namely:
 - i. Block 491.01, Lot 81
 - ii. Block 491.01 Lot 18
 - iii. Block 491.01, Lot 19; or
 - iv. Block 491.01, Lot 31.01.
 - c. The minimum bid price for the property shall be for not less than \$100,000.00.
 - d. As a condition of sale, the Township property known as Block 491.01, Lot 33 shall be merged with the contiguous property and shall be deed restricted from further subdivision.
 - e. Property shall be sold "as is" and subject to any and all easements, grants and restrictions of record including but not limited to rights and interests of utility companies and/or the public in and to the public right of way.
3. Within five (5) days of the adoption of this Ordinance, notice of the property authorized for sale shall be delivered to the contiguous property owners, posted conspicuously in the Township of Edison Municipal Building and advertised in a newspaper circulated within the Township of Edison.

4. Offers for the property may be made to the governing body no later than twenty-five (25) days following the date of adoption of this Ordinance. Offers shall be submitted to the Township Clerk, Cheryl Russomanno, at 100 Municipal Boulevard, Edison, NJ 08817.
5. 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.
6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.
7. This ordinance shall take effect immediately upon passage and publication in accordance with the law.

ORDINANCE O.2209-2024

AN ORDINANCE AMENDING SECTION 39-12.23 “SCHEDULE OF ESCROW DEPOSIT FEES OF THE CODE OF THE TOWNSHIP OF EDISON

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

WHEREAS, the Township wishes to amend Section 39-12.23, “Schedule of Escrow Deposit Fees of the Code of the Township of Edison”; and

WHEREAS, the Township wishes to ensure the health of safety of its residents by requiring a traffic study and environmental assessment for specific development applicants; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Edison, in the County of Middlesex, State of New Jersey that Section 39-12.23 of the Code of the Township of Edison is hereby amended to read as follows:

Deletions are noted by ~~strikethrough~~

Additions are indicated by **bold underline**

Language that remains unchanged is not highlighted in any way.

§ 39-12.23 Schedule of Escrow Deposit Fees.

- a. The escrow deposit fees are established to cover the costs of professional services, including but not limited to: engineering, legal, planning, landscaping, traffic, environmental and other expenses incurred by the Township for the review of submitted materials for specific development applications. **For all applications seeking, Major Site Plan, Major Subdivision or relief pursuant to the terms of N.J.S.A. 40:55D- 70(D), the Technical Review Committee shall provide for the preparation of a traffic study and environmental assessment, in addition to any other experts as it shall deem appropriate given the subject matter of the application.** Escrow deposits required for professional services shall be based on the following:
 1. The Township, acting through its Planning Board, Zoning Board of Adjustment and/or Technical Review Committee shall require fees for technical and/or professional services and testimony employed to the Board in reviewing an application. Fees required for this purpose shall be held in an escrow account by the Township.
 2. Fees for technical and/or professional services shall be in addition to application fees, and any and all other required fees.
 3. By filing any type of application or appeal, an applicant shall consent to pay for professional review services which are reasonably necessary for the review, processing, research and/or

memorialization of such application. These services may include, but need not be limited to, an attorney, professional planner, professional engineer, traffic engineer, environmental consultant and/or other professional as deemed reasonable and necessary by the reviewing board.

4. ~~If the~~**When the Board or the Technical Review Committee** determines that, because of the complexity of an application, the services of a traffic engineer, sound expert, or other professional specialty other than board engineer, planner and attorney are needed, an additional escrow fee equal to the cost of the services may be required before the next scheduled hearing.
 5. All costs for the review of any application for development shall be paid before any construction permit is issued. Any remaining costs created during the construction process shall be paid in full before any temporary or full certificate of occupancy is issued.
 6. The review services of these professionals shall be charged at the hourly rate authorized or paid by the Township for professional services based upon the current fee schedule.
 7. Each applicant shall provide the Township with a federal tax identification number or federal social security number.
 8. All payments charged to the individual escrow account shall be pursuant to charges from the professionals stating the hours spent, the hourly rate and the expenses incurred. The municipality shall render a written final accounting to the applicant on the uses to which the escrow deposit was invoiced. Thereafter, the municipality shall, upon written request, provide copies of the vouchers to the applicant.
 9. The charge to the deposit shall be at the same contractual rate as all other work of the same nature by the professionals for the municipality. If the salary, staff support, and overhead for a professional review are provided by the municipality, the charge to the escrow deposit shall not exceed 200% of the sum of the products resulting from multiplying the hourly base salary of each of the in-house professionals and support staff by the number of hours spent on the respective review of the application for development.
- b. Residential Exceptions, Partial Waiver, and Resubmission Fee Waivers from Escrow Deposit Requirements.
1. Residential applications including but not limited to fencing, sheds, porches, patio's, decks, pools and minor residential building additions of less than 300 square feet gross floor area shall be exempt from escrow deposit.
 2. Development of or improvement to one single-family dwelling on an existing lot where no off-tract or municipal improvements which extend beyond the frontage of the lot are involved shall be exempt from escrow deposit requirements.
 3. Charitable and/or philanthropic organizations, civic, fraternal and/or religious nonprofit organizations may apply to the reviewing board for a reduction of 25% of the required escrow deposit. To qualify, any such organization must hold a tax-exempt status under the Federal Internal Revenue Code of 1954 (26 U.S.C. Section 501(c) or (d)). Notwithstanding the reduced

escrow fee, the applicant shall still be responsible to pay all costs directly associated with the review and memorialization of the application even if those costs exceed the sum of fees collected.

c. Escrow Fee Submission Required for Completeness.

1. The applicant shall submit the required escrow fee to the administrative officer prior to the application being reviewed by the Technical Review Committee for completeness. No application shall be determined complete, reviewed by professional staff, or placed on the agenda for a technical meeting or public hearing until the full required escrow fee has been submitted. If a technical question arises as to whether a particular fee is required, the Administrative Officer shall consult with the Technical Review Committee and appropriate Board Attorney to clarify the matter, however no application may be deemed complete or scheduled for a public hearing until all unresolved fees have been paid.
2. Required escrow deposits shall be in the form of money order or check payable to the Township of Edison.
3. The Administrative Officer shall maintain and provide to the Technical Review Committee and reviewing board, as a completeness item, an up-to-date record of all application and escrow fees calculated and collected for each application being heard. This shall be provided at every meeting of the committee or Board.
4. The Administrative Officer shall reject and return any attempted submission of plans delivered without the appropriate escrow fee, and shall direct the developer to provide the applicable fee to process any plan submission.

d. Escrow Fee for Informal or Concept Review.

1. Whenever an applicant requests an informal review of a concept plan involving technical or professional consultation, an escrow deposit shall be submitted in accordance with the schedule below which must be received prior to professional review. The fees listed below are for each informal review session. Any subsequent informal review sessions shall require submission of an additional review fee.
2. Informal review fees shall be as follows:
 - (a) Subdivision, site plan, use variance or any combination thereof shall be \$1,000.
 - (b) Capital project review fees shall be \$1,000.
 - (c) Request by private property owners for the vacation of a public road or portion thereof pursuant to N.J.S.A. 40:66-21: \$1,000.
3. When escrow fees are submitted for professional services for informal review, those fees submitted shall be considered an advance on the formal application fee for a subsequent application for the same development. When the subsequent full application is filed and the relative escrow fees are calculated for that submission, the applicant shall be entitled to an

escrow credit equal to the amount submitted for the concept review. Any remaining escrow fees after an informal review shall be allocated to the applicant's escrow account for that development.

- e. Escrow Fees for Development Applications. The following fees are required to be deposited in an escrow account for applications to the Planning Board and/or Board of Adjustment:
 - 1. Variances. (Fees shall be in addition to any required subdivision or site plan approval).
 - (a) Appeal or interpretation under N.J.S.A. 40:55D-70a or b: \$1,000.
 - (b) Bulk variance under N.J.S.A. 40:55D-70c: \$500 per each variance.
 - (c) Variance under N.J.S.A. 40:55D-70d: \$5,000 per each variance.
 - (d) Conditional use approval: \$5,000.
 - (e) Variance/Permit under N.J.S.A. 40:55D-36: \$1,000.
 - 2. Site Plan Applications: (Fees shall be in addition to any required variances or subdivision).

Type of Site Plan	Gross Floor Area or Number dwelling units	Escrow Fee
Minor Site Plan:	N/A	\$4,000
Major Site Plans:		
Preliminary Non-residential	1 to 5,000 square feet	\$5,000
Preliminary Non-residential	5,001 to 25,000 square feet	\$10,000
Preliminary Non-residential	25,001 to 100,000 square feet	\$15,000
Preliminary Non-residential	Over 100,000	\$20,000

Type of Site Plan	Gross Floor Area or Number dwelling units	Escrow Fee
	square feet	
Preliminary Residential	1 to 10 units	\$10,000
Preliminary Residential	11 to 25 units	\$15,000
Preliminary Residential	Over 50 units	\$20,000
Final Site Plan	All applications	\$5,000

3. Subdivision Applications (Fees shall be in addition to any required site plan or variances).

Type of Application	Total Number Lots Proposed	Escrow Fee
Minor Subdivision	N/A	\$4,000
Major Subdivision:		
Preliminary	1 to 10 lots	\$10,000
Preliminary	11 to 25 lots	\$15,000
Preliminary	26 to 50 lots	\$20,000
Preliminary	51 to 100 lots	\$25,000
Preliminary	Over 100 lots	\$30,000
Final Subdivision	All Applications	\$7,500

4. Mixed uses. For an application involving more than one use, or a mixed-use application, the fee shall be calculated as the cumulative fee for each component of the development based on the above Preliminary and Final Major Site Plan fees for residential and non-residential development, plus any Subdivision, variance or other fees that are applicable.

5. Planned Unit Developments. For a planned unit development, fees shall be calculated as the cumulative fee of each component of a development based on the above Preliminary and Final Major Site Plan fees for residential and non-residential development, plus any subdivision or variance fees that are applicable.
6. General Development Plan. The fee shall be \$5,000, in addition to any other Site Plan, Subdivision or Variance fees which may be applicable.
7. Special Design Elements. When, and as determined by the reviewing board, the proposed project includes a special design consideration, such as but not limited to a sanitary/storm sewer pump station, a potable water storage facility, traffic signalization devices, street vacation or improvement, or other off-tract improvements, the additional escrow fee shall be \$5,000.
8. Request for Rezoning. Any property owner seeking a rezoning of property shall, in addition to the fee paid pursuant to subsection § **39-12.18d8**, submit an escrow fee of \$4,000.
9. Single Family Lot with Off-Tract Improvements Extending Beyond the Frontage of the Lot. The development of or improvement to an individual single family dwelling on an existing lot where off-tract improvements or municipal improvements extend beyond the frontage of the lot shall require an escrow fee of \$3,000.
10. Single Family Lot Involving development or construction in a Wetlands, Wetlands Buffer, Steep Slope area, FEMA Repetitive Loss Area, and/or Flood Hazard Area. The development of or an improvement to an individual single family dwelling on an existing lot involving construction in any of the above circumstances or in a flood hazard area as set forth in Chapter **33**, Floodplain Management Regulations, shall require the payment of an escrow fee of \$3,000.
11. Total Escrow Fee. The sum of all Subdivision, Site Plan, Variance and other fees required by this subchapter shall be calculated to determine a "Total Original Escrow Fee."
12. Resubmissions.
 - (a) After an initial plan submission, each subsequent plan submission to the Township Planning/Zoning Department shall be considered a plan resubmission. Resubmissions shall include any submission of revised plans before, during, or after the technical review, public hearing, or resolution compliance period, or any time thereafter to satisfy conditions of approval or modify a proposed or approved plan.
 - (b) When submitting a revised plan resubmission, all applicants shall be required to pay a "Resubmission Escrow Fee" based on 50% of the "Total Original Escrow Fee" which shall be deposited into the applicant's escrow account to replenish funds therein. This resubmission fee shall be required for each resubmission of revised plans, regardless of how many times plans are resubmitted. This resubmission fee shall apply to all development applications.
 - (c) The "Resubmission Escrow Fee" shall apply to submission of all engineering and architectural plats and plans, and shall not be applicable to submission of revised reports, typewritten documents, response letters, memorandum, or outside agency permits and approvals. When

multiple engineering and architectural plats or plans, including any supporting documents, are submitted together in a single instance, this shall be considered one resubmission.

- (d) The Administrative Officer shall reject and return any attempted resubmission of plans delivered without the resubmission fee, and shall direct the developer to provide the applicable fee to process any plan resubmission.
 - (e) The Administrative Officer shall maintain and provide to the Technical Review Committee and/or reviewing board a record of all resubmission fees calculated and collected for each application. This shall be provided at every meeting of the committee or Board.
 - (f) The "Resubmission Escrow Fee" shall be applicable to all submissions described hereinabove, but shall not be applicable to plan submissions after an application has been formally withdrawn or for applications for which the escrow account for has been terminated by way of refund. In those instances, a new "Original Escrow Fee" shall be calculated and apply.
- f. Review of Escrow Deposit Amount.
- 1. Prior to certifying completeness upon any application, the Administrative Officer and Technical Review Committee shall review the application materials, content, checklist, and fees to verify the escrow amount set forth above is sufficient for the professional review of the application. If the amount set forth is determined insufficient to cover professional costs anticipated for the application, additional funds in the amount of 33% of the initially required escrow fee shall be deposited by the applicant prior to declaring the application complete. The application shall not be declared complete or placed on the agenda for public hearing until such additional escrow deposit is received.
 - 2. Further additional escrow deposit fees may be required at any time upon determination by the Administrative Officer.
 - 3. All approvals shall be conditional upon receipt of such additional fees deposited by the applicant in increments of 50% of the "Total Original Escrow Fee," when and as determined necessary by the Administrative Officer. All costs for the review of any Application for Development shall be paid before any construction permit is issued. Any remaining costs created during the construction process shall be paid in full before any temporary or full certificate of occupancy is issued.
- g. Appeal of Escrow Fees. In the event that the applicant believes the fees to be unreasonable, the Planning Board or Board of Adjustment shall hear and decide whether such fees are reasonable. The applicant may appeal the decision of the Planning Board or Board of Adjustment to the Governing Body, provided that the applicant shall provide to the Governing Body transcripts of the Planning Board or Board of Adjustment hearing on fees, at his or her cost, and such appeal shall be on the record. The Governing Body shall set a meeting date, with notice to the applicant. The applicant may submit oral and/or written arguments on the record, provided that the applicant provides a court-certified stenographer to record the meeting and provides a transcript of the meeting. The Governing Body may reverse a Planning Board or Board of Adjustment decision upon showing that the Board's decision is not sustained by the preponderance of the evidence.

- h. Escrow Deposit Accounts. The escrow amount shall be deposited by the Township into an official depository of the Township in a separate interest-bearing escrow account in the name of the Township and the applicant. The custodian of the account shall be the Township Director of Finance. The custodian shall notify the applicant, in writing, of the name and address of the depository and the amount of the deposit. Disbursements for professional review services shall be made in accordance with State law and Township procedures. Deposit amounts shall be transmitted pursuant to State statute and applicable Township regulations and ordinances. When charges for review fees are received by the custodian of the escrow account, the amounts shall be transferred to the appropriate account(s) of the Township for approval and disbursements. In accordance with N.J.S.A. 40:55D-53.1, sums not utilized in the review process shall be returned to the applicant. If additional sums are deemed necessary, the applicant shall be notified of the required additional amount and shall add such sum to the escrow as detailed elsewhere in this subsection.
- i. Escrow Accounts Over \$5,000; Conditions. Pursuant to N.J.S.A. 40:55D-53.1, whenever an amount of money in excess of \$5,000 shall be deposited by an applicant in the Township for professional services employed by the Township to review applications, the money, until repaid or applied to the purposes for which it is deposited, including the applicant's portion of the interest earned thereon, except as otherwise provided for therein, shall continue to be the property of the applicant and shall be held in trust by the municipality. Money deposited shall be held in escrow in an account bearing interest at the minimum rate currently paid by the institution or depository on time or savings deposits. The Township shall notify the applicant in writing of the name and address of the institution or depository in which the deposit is made and the amount of the deposit. The Township shall not refund an amount of interest paid on a deposit which does not exceed \$100 for the year. If the amount of interest exceeds \$100, that entire amount shall belong to the applicant and shall be refunded to him or her by the Township at the time that the unexpended deposit is repaid or applied to the purpose for which it was deposited, as the case may be; except that the Township shall retain for administrative expenses a sum equivalent to no more than 33 1/3% of that entire amount which shall be in lieu of all other administrative and custodial expenses.
- j. Accounting of Fees. In the event that any applicant desires an accounting of the expenses or fees paid by him or her for professional review, he or she shall request such in a letter directed to the Township Director of Finance. In the event that there are found insufficient escrow funds in the account to pay all outstanding invoices, the outstanding balance shall be submitted by the applicant prior to issuance of a certificate of occupancy or building permit.
- k. Refunds. All escrow funds described herein shall be utilized by the appropriate board to pay the cost of any technical and/or professional services incurred by the Board for review and/or testimony in connection with the particular application. All remaining funds not expended shall be refunded to the applicant upon request within 120 days after the final determination by the board with respect to such application. If conditions of approval are required by any approving resolution, the escrow account may remain active for such extended time as to allow the applicant to pursue resolution compliance via submission and professional review of revised plans or documents. However, in any case, no amount shall be refunded prior to written certification by the Administrative Officer that all professional services invoices are paid.

- l. Refunds after Application Withdrawal. Upon submission of a written withdrawal request, all remaining funds not expended shall be refunded to the applicant within 120 days after withdrawal. However, in all cases, no amount shall be refunded prior to written certification by the Administrative Officer that all professional services invoices are paid.
- m. Refunds Without Resolution Compliance. If an Application for Development has been approved subject to conditions of approval, and the applicant later withdraws the application and/or requests a refund of escrow fees without satisfying the required conditions of approval, the escrow account may be terminated and all remaining funds not expended shall be refunded to the applicant within 120 days after withdrawal and/or request. However, in all cases, no amount shall be refunded prior to written certification by the Administrative Officer that all professional services invoices are paid.
- n. Refund and/or Application Withdrawal shall Constitute Termination of Application. A request for withdrawal and/or refund shall be considered an affirmative act of termination of the application. After which, any subsequent resubmission of an application, with or without changes, shall be considered a new application and shall be subject to the Original Escrow Fee in effect for a new application, not the Resubmission Escrow Fee permitted elsewhere in this subsection.
- o. Rules and Regulations. Pursuant to municipal Charter, the Township shall promulgate rules and regulations for the administration of all processing of the provisions of this escrow deposit ordinance in compliance with all applicable Township ordinances and State laws.
- p. Non-Payment. Filing of an Application for Development shall inherently include an agreement to pay for the reasonable costs of the professional review and memorialization of that application. If an applicant or property owner refuses to, or fails to, pay any outstanding and reasonable costs incurred in the review or memorialization of an application, regardless of the Board's determination, the Township will place a lien on said property associated with the application to recover the professional costs incurred to the Township, in compliance with all applicable Township ordinances and State laws.

BE IT FURTHER ORDAINED, all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency; and

BE IT FURTHER ORDAINED, 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; and

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

ORDINANCE O.2210-2024

AN ORDINANCE AMENDING SECTIONS 36-7 “MAJOR SUBDIVISIONS”, 36-6.1 “SKETCH PLAT; APPLICATION REQUIREMENTS”, 36-9.6 “PRELIMINARY SITE PLANS”, 36-9.7 “FINAL SITE PLAN”, 27-2.11 “LARGE WATER SERVICES”, 36-8.2 “PRELIMINARY SITE PLAN APPROVAL” AND 39-12.4 “HEARINGS” OF THE CODE OF THE TOWNSHIP OF EDISON TO UPDATE AND MODERNIZE THE AVAILABILITY OF ELECTRONIC SUBMISSIONS ON APPLICATIONS FOR DEVELOPMENT

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

WHEREAS, the Township wishes to amend Sections 36-7 “Major Subdivisions”, 36-6.1 “Sketch Plat; Application Requirements”, 36-9.6 “Preliminary Site Plans”, 36-9.7 “Final Site Plan”, 27-2.11 “Large Water Services”, 36-8.2 “Preliminary Site Plan Approval” and 39-12.4 “Hearings” of the code of the Township of Edison; and

WHEREAS, the Township wishes to update and modernize the availability of electronic submissions on applications to the Township; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Edison, in the County of Middlesex, State of New Jersey that Section 36-7 “Major Subdivisions” of the Code of the Township of Edison is hereby amended to read as follows:

Deletions are noted by ~~strikethrough~~
Additions are indicated by **bold underline**
Language that remains unchanged is not highlighted in any way.

SECTION I

§36-7 MAJOR SUBDIVISIONS

§36-7.1 Preliminary Approval

- a. Submissions for Preliminary Major Subdivision. An applicant shall file with the administrative official, at least three (3) weeks prior to the date of a regular meeting of the Board, the following documents:
 1. Six (6) completed copies of the major subdivision application form;
 2. Four (4) copies of any protective covenants, deed restrictions or easements, either presently affecting the property or proposed in the subdivision, such as a conservation, drainage or utility right-of-way or a sight triangle;
 - 3.

- (a) Fourteen (14) folded copies of the preliminary plat of the proposed major subdivision.
- (b) ~~A compact disc~~ **A digital storage device accessible by the Township** containing an electronic copy of the preliminary plat of the proposed major subdivision in PDF format.
- (c) A mylar copy shall be submitted upon preliminary approval.

All other provisions of §36-7 “Major Subdivisions” are to remain unchanged.

BE IT FURTHER ORDAINED, that Section 36-6.1 “Sketch Plat; Application Requirements” of the Code of the Township of Edison is hereby amended to read as follows:

§36-6.1 Sketch Plat; Application Requirements

a. Sketch Subdivision. An applicant shall file with the administrative official, at least three (3) weeks prior to the date of a regular meeting of the board, the following documents **in both hard copy and on a digital storage device accessible by the Township**:

- 1. Six (6) completed copies of the Township subdivision application form. The form shall be obtained from the Planning Board Secretary.

All other provisions of §36-6.1 “Sketch Plat; Application Requirements” are to remain unchanged.

BE IT FURTHER ORDAINED, that Section 36-9.6 “Preliminary Site Plans” of the Code of the Township of Edison is hereby amended to read as follows:

§36-9.6 Preliminary Site Plans

Except for small additions or changes, twelve (12) folded copies of the plat and six (6) copies of the application **along with appropriately formatted digital copies of the same** shall be filed, size twenty-four by thirty-six (24 x 36) inches. All site plans shall comply with the requirements hereinafter set forth and shall contain the following information and date if applicable:

All other provisions of §36-9.6 “Preliminary Site Plans” are to remain unchanged.

BE IT FURTHER ORDAINED, that Section 36-9.7 “Final Site Plan” of the Code of the Township of Edison is hereby amended to read as follows:

§36-9.7 Final Site Plan

a. One (1) mylar or equivalent copy, twelve (12) folded black-on-white prints and three (3) copies of the application form for final approval **along with appropriately formatted digital copies of the same** shall be submitted at least three (3) weeks prior to the date of the regular Board meeting. Unless the preliminary site plan is approved without changes, the final plat shall have incorporated all changes or modifications by the Board. The plan shall be drawn in accordance with subsection 36-9.6, and, further, as-built drawings of all site improvements to be dedicated to the Township shall accompany the final site plan submission.
All other provisions of §36-9.7 “Final Site Plan” are to remain unchanged.

BE IT FURTHER ORDAINED, that Section 27-11.2 “Large Water Services” of the Code of the Township of Edison is hereby amended to read as follows:

§27-2.11 Large Water Services.

Application for installation of water services of two inches or greater, whether for fire service, domestic service or both, and for all water services, regardless of their size, for two-family or larger residences must be submitted to the Water and Sewer Utility for approval. The plans must contain:

a. Three sets of plans must be submitted with the application (one for the record, one to the Building Department, one to the owner); also, ~~a CD~~ **a digital storage device accessible by the Township** with the drawing in PDF format is to be submitted with the application.

All other provisions of §27-11.2 “Large Water Services” are to remain unchanged.

BE IT FURTHER ORDAINED, that Section 36-8.2 “Preliminary Site Plan Approval” of the Code of the Township of Edison is hereby amended to read as follows:

§38-8.2 Preliminary Site Plan Approval

a. Site Plan Application. An applicant shall file with the administrative official, at least three (3) weeks prior to the date of the regular meeting of the Board, the following documents:

1. Six (6) completed copies of the Township site plan application form;
2. Four (4) copies of any protective covenants, deed restrictions or easements presently affecting the property;
3.
 - (a) Fourteen (14) folded copies of the preliminary plat of the proposed site plan.
 - (b) ~~A compact disc~~ **a digital storage device accessible by the Township** containing an electronic copy of the preliminary plat of the proposed site plan in PDF format.
 - (c) A mylar copy shall be submitted upon preliminary approval.

All other provisions of §36-8.2 “Preliminary Site Plan Approval” are to remain unchanged.

BE IT FURTHER ORDAINED, that Section 39-12.4 “Hearings” of the Code of the Township of Edison is hereby amended to read as follows:

§39-12.4 Hearings

a. The Township agency shall hold a hearing(s) on application for development, as required by subsection 39-12.6, and the adoption, revision or amendment of the Master Plan. A public hearing shall be required for all of the following classes of development application:

1. Any application which requires a variance;
2. Preliminary major subdivision applications;
3. All conditional uses;
4. Preliminary major site plan applications;
5. Minor subdivision applications.

b. In addition to the above cases of application requiring public hearing and notice as per subsection 39-12.6, all other classes of application, except sketch plats, final major subdivision and final site plan before the Planning Board, shall be reviewed and decided upon after public presentation by the applicant at a public meeting of the Board. No notice by the applicant, as set forth in subsection 39-12.6, shall be required for such applications.

c. The Board may hear comment and opinion from interested parties in attendance, further provided that the Board may require the applicant to present expert testimony pertaining to the application.

- d. The Township agency shall make the rules governing hearings. Any maps and documents for which approval is sought at a hearing shall be on file and available for public inspection, at least ten (10) days before the date of the hearing, during normal business hours, in the office of the ~~Director of Public Works~~ **the Department of Planning and Engineering**. **Any maps and documents for which approval is sought at a hearing shall also be made available for public inspection online at the same time as the public posting of the agenda for the meeting at which the application is to be considered.** The applicant may produce other documents, records or testimony at the hearing to substantiate, clarify or supplement the previously filed maps and documents.

All other provisions of §39-12.4 “Hearings” are to remain unchanged.

SECTION II

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 III

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

SECTION IV

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

ORDINANCE O.2211- 2024

AN ORDINANCE AMENDING SECTION 37-5.3 OF THE CODE OF THE TOWNSHIP OF EDISON “ZONING DISTRICTS WHERE CANNABIS ESTABLISHMENTS ARE PERMITTED”

BE IT ORDAINED, by the Township Council of the Township of Edison that Section 37-5.3 of the Code of the Township of Edison is hereby amended to read as follows:

Cannabis Establishments are a permitted use in the Township, in accordance with all applicable provisions set forth herein, state law, and all other applicable codes and regulations, including but not limited to the Building Code, in the following area:

- a. The area southeast of Woodbridge Avenue between Amboy Avenue and Mill Road except for areas zoned for any class of residential use or within 1000' of any area zoned for any class of residential use and as otherwise restricted in this ordinance or by State law (Except if in permissible zone including but not limited to specified locations in subsection b).
- b. The permissible locations are located in the below table:

Location

Limits

- | | |
|----------------------------|--|
| • <u>National Road</u> | • <u>Talmdage Road to Cul-de-sac</u> |
| • <u>Talmdage Road</u> | • <u>New Durham Road to Route 27</u> |
| • <u>Carter Drive</u> | • <u>Talmdage Road to Cul-de-sac</u> |
| • <u>US Route 1</u> | • <u>Plainfield Ave to Old Post Road (south)</u> |
| • <u>Woodbridge Avenue</u> | • <u>Plainfield Avenue to Garden State</u> |

Parkway Ramps

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