

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
MAY 20, 2024
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. **REVIEW OF MINUTES:**
 - a. Regular Meeting of January 24, 2024
 - b. Regular Meeting of March 13, 2024
 - c. Closed Session of April 8, 2024
 - d. Worksession Meeting of April 8, 2024
 - e. Combined Meeting of April 25, 2024
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution awarding a Professional Services Contract for Finance Consulting Services (not to exceed \$203,940.00)
 - b. Resolution awarding Contract/Purchase Order to CDW Government LLC for the renewal of Hardware/Software (\$67,103.30)
 - c. Resolution authorizing the Township of Edison for Membership in the Houston-Galveston Area Council (HGAC) National CO-OP for cooperative Purchasing Agreement Contracts.
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through May 16, 2024.
 - b. Resolution authorizing refund in the amount of \$ 146,794.85 for redemption of tax sale certificates.
 - c. Resolution authoring refund for Tax Overpayments totaling \$4,411.37
 - d. Resolution authorizing Overpayment Refund caused by Successful Tax Court Appeal.
 - e. Bond Ordinance Providing for Various Capital Improvement (\$28,875,000)
 - f. Bond Ordinance Providing for Improvements to The Solid Waste Collection District Ordinance O.2221-2024 - \$1,400,000.)
10. **FROM THE DEPARTMENT OF HEALTH:**
 - a. Resolution of the Township of Edison approving Title VI Non-Discrimination Policy for the Senior Citizen Transportation Program.

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

- a. Resolution Refunding Engineering Inspection Fees to Markim Developers, LLC, 910 Amboy Avenue, Edison, NJ 08837, for 42 Cinder Road, Edison, NJ 08820, Application: Z30-2014, Account # 7763328828.
- b. Resolution Refunding Engineering Inspection Fees to Markim Developers, LLC, 910 Amboy Avenue, Edison, NJ 08837 for 308-310 Plainfield Road, formerly Chen/Wang Subdivision, Edison, NJ 08820, Application: P5066, Z2130-04/05, Account # 7763595237.
- c. Resolution Refunding Engineering Inspection Fees to Markim Developers, LLC, 910 Amboy Avenue, Edison, NJ 08837 for 905 Grove Avenue, Edison, NJ 08820, Application: P5164, Account # EI170925MA, Subaccount # 68391994.
- d. Resolution Releasing Maintenance Bond# 35637 to Markim Developers, LLC, 910 Amboy Avenue, Edison, NJ 08817, for 42 Cinder Road on Site Improvements Under Application No. Z30-2014.
- e. Resolution Release of Performance Bond # 55227 – Receipt of Maintenance Bond to Fox and Foxx Development LLC, 940 Amboy Avenue, Suite 101, Edison, NJ 08837, for 28 Lillian Street, also known as 22 & 28 Lillian Street, Application P5241.
- f. Resolution Release of Performance Bond # 55806 – Receipt of Maintenance Bond to Fox and Foxx Development, LLC, Suite 101, Edison, NJ 08837, for 71 Jersey Avenue, AKA 50 & 52 Philip Street, Application P5246.
- g. Resolution authorizing a Refund for a Zoning Permit# ZP-24-00261 to St. Paul’s Evangelical Lutheran Church in the amount of \$300.00.
- h. Resolution Authorizing Change Order # 4 For Public Bid No. 23-30-04 with Shorelands Construction Inc. For The Toth Health & Senior Center Renovation. (\$60,000.00)
- i. Resolution authorizing Change Order #1 for Public Bid No.23-30-02R with EPIC Management for the Sports Building Roof (\$187,433.40 – total amended contract amount of \$10,974,433.40).

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

- a. Resolution to Release Street Opening Escrow
- b. Resolution Accepting Bid and Awarding Contract to Shore Top Construction Corp., for the Edison Courts – Phase II Project (\$1,068,884.60)

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

- a. Resolutions authorizing a reimbursement for ABC Program (2)
- b. Resolution authorizing Park Rental Fees waived for an Edison Senior Organization.
- c. Resolution awards contact for Public Bid 24-02-20R Events Services 2024 (2 – Vendors - \$55,567.00)

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

- a. Resolution authorizing Contract/Purchase Order to Chas S. Winner, Inc. for Police Pursuit rated vehicles (12 - \$519,052.80)

15. **FROM THE TOWNSHIP CLERK:**

- a. Resolution authorizing a Refund for Overpayment of Raffle License.

- b. Resolution authorizing the sale of one (1) Plenary Retail Distribution Liquor License.

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

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

**O.2217-2024 THIS ORDINANCE AMENDS THE EDISON TOWNSHIP
CODE TO ESTABLISH RATES THE TOWNSHIP CHARGES
USERS OF THE TOWNSHIP’S WATER SYSTEM.**

**O.2218-2024 THIS ORDINANCE AMENDS THE EDISON TOWNSHIP
CODE TO REVISE AND UPDATE THE 2024 PER GALLON
WATER RATES THE TOWNSHIP CHARGES
RESIDENTIAL AND NON-RESIDENTIAL USERS FOR THE
DISCHARGE OF NORMAL DOMESTIC SEWAGE AND
THE RATES CHARGED SIGNIFICANT INDUSTRIAL
USERS OF THE TOWNSHIP’S SEWER SYSTEM.**

**O.2219-2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A
CAPBANK**

**O.2222-2024 ORDINANCE ADOPTING THE“REDEVELOPMENT PLAN
– JOHN STREET AND THOMAS PLACE” (BLOCK 692.E,
LOTS 8.B, 9.A, 12, 13 AND 14), PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW, N.J.S.A.
40A:12A-1, ET SEQ.**

**O.2223-32024 AN ORDINANCE AMENDING CHAPTER 14 “BUILDING
AND CONSTRUCTION” BY AMENDING SECTION 14-7
“ELECTRIC VEHICLE CHARGING STATIONS (EVCS)
IN NEW AND MODIFIED DEVELOPMENTS REQUIRED**

18. **DISCUSSION ITEMS:**

Councilmember Brescher

- a. Police Substation
- b. Language
- c. Friend Sing and 911
- d. Legal matters update
- e. JIFF
- f. 3-4 story
- g. Amazon
- h. Graffiti
- i. Home smoke detector

- j. Calvert/ Grove

Councilmember Coyle

- a. Updates and communications
- b. Finance
- c. Future tax revenue
- d. Economic Developer & Development
- e. Small Business/Retail Stores
- f. Affordable Housing
- g. Public Safety
- h. Public Works

Councilmember Harris

- a. March 11 Worksession Video
- b. Budget – Mayor Presentation
- c. Amboy Avenue repeal O.1936-2016
- d. Public Advocate referendum update
- e. Problem with cars parking Cabot Avenue side of Amboy

Councilmember Patil

- a. Resident safety topics - flashing lights/speed limit on Calvert- Grove, New Brunswick Ave (closer to Edison Manor/Hana Rd)
- b. Master plan update status
- c. Flooding remediation updates -Stephenville/Calvert, Summer St, JP Steven/Grove Ave, Winding Brook
- d. Kilmer field status
- e. Funding for various youth programs
- f. Clara Barton residents email clarification
- g. Council meeting broadcast schedule
- h. Comcast road opening and lawn destruction issue
- i. Legal lawsuits settled that are not known to the Council
- j. Misc. resident complaints

Councilmember Poyner

- a. None

Councilmember Shmuel

- a. None

Council President Patel

- a. Bike Connection Project
- b. Pappaianni Park Power Line Bike Route
- c. Economic Developer

Item 8. A.

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO GOVERNMENT STRATEGY GROUP FOR FINANCIAL MANAGEMENT SERVICES

WHEREAS, the Township of Edison (the Township) has determined that it is in its best interests and those of the Township residents to engage a financial management services firm to support the Finance Department and to ensure proper financial reporting, and the Township is authorized pursuant by 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, Government Strategy Group, 1026 Broad Street, Suite 28, Unit 330, Shrewsbury, NJ 07702 has submitted a proposal to provide such services including, but not limited to, the areas of public finance and municipal accounting, and has extensive staff and resources that may be utilized to support the Township’s Finance Department; and

WHEREAS, for these reasons the Mayor and the Municipal Council recommend Government Strategy Group for its Financial Management Services and seek to enter a contract with Government Strategy Group to provide for same for a period of one year from June 23, 2024; and

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

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

WHEREAS; the total amount of this contract shall be in the amount of \$16,995.00 per month, payable in monthly installments, not to exceed \$203,940.00 for the one year contract; and

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

WHEREAS, funds for this contract in the amount not to exceed \$203,940.00 will be available in the Finance Department– Other Professional Services Account, subject to and contingent upon appropriation of sufficient funds in both the 2024 and 2025 budgets; and

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

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

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

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

1. The Township is hereby authorized to execute a contract and any other necessary documents, with Government Strategy Group, 1026 Broad Street, Suite 28, Unit 330, Shrewsbury, NJ 07702, in an amount not to exceed \$203,940.00 as set forth above.
2. This contract is awarded pursuant to *N.J.S.A. 40A:11-5* and *19:44A-20.5 et. seq.* and without competitive bidding.
3. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract(s).

4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
5. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

ITEM 8. B.

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT LLC FOR THE RENEWAL OF HARDWARE AND SOFTWARE RENEWALS

WHEREAS, there is a need to renew Sophos antivirus protection and licenses for the period of May 22, 2024 – May 21, 2025 in the amount of \$22,750.00; and

WHEREAS, there is a need to renew Sonic Firewalls and licenses for the period of June 30, 2024 – June 29, 2025 in the amount of \$14,911.94; and

WHEREAS, there is a need to renew HP Hardware and licenses for the period of May 1, 2024 – April 30, 2025 in the amount of \$29,441.36; and

WHEREAS, CDW GOVERNMENT LLC, 230 North Milwaukee Avenue, Vernon Hills, IL 60061, has been awarded Educational Services Commission of New Jersey cooperative pricing system Contract Number ESCNJ/AEPA-22G Technology Supplies & Services; and

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration and the Township of Edison is a member of the Educational Services Commission of New Jersey Cooperative Pricing System #65MCECCPS; and

WHEREAS, the total amount of this contract shall not exceed \$67,103.30; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$67,103.30 and any other necessary documents, with CDW GOVERNMENT LLC, 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.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$67,103.30** is available for the above in Account No. **4-01-20-0140-000-059**.

Lina Vallejo
Chief Financial Officer

ITEM 8. C.

A RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON FOR MEMBERSHIP IN THE HOUSTON-GALVESTON AREA COUNCIL (HGAC) NATIONAL CO-OP FOR COOPERTIVE PURCHASING AGREEMENT CONTRACTS

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, Houston-Galveston Area Council (HGAC), 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 desires to become a member, at no cost, of the Houston-Galveston Area Council (HGAC) and that such membership shall remain in effect unless the Township of Edison elects to formally withdraw from the system; and

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, County of Middlesex, State of New Jersey, that the Mayor or his designee is authorized to become a member of the Houston-Galveston Area Council (HGAC) for the purposes of purchasing from their cooperative contracts.

TITLE

1. This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Edison.

AUTHORITY

2. Pursuant to the provisions of Public Law 2011, Chapter 139 and NJSA 52:34-6.2, the Mayor or his designee is hereby authorized to become a member of the Houston-Galveston Area Council (HGAC) and execute the interlocal contract agreement as may be necessary.

EFFECTIVE DATE

3. This resolution shall take effect immediately upon passage.

RESOLUTION R

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING May 15, 2024.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, May 15, 2024

FUND	AMOUNT
Current	\$621,883.56
Affordable Housing	0.00
Capital	800,830.79
Cash Performance	0.00
CDBG	0.00
Developers Escrow	14,923.00
Dog (Animal Control)	15,775.97
Federal Forfeited	0.00
Employee Tax	0.00
Grant Funds	22,034.25
Law Enforcement	0.00
Open Space	0.00
Park Improvements	115,950.80
Payroll Deduction	0.00
Sanitation Fund	223,714.40
Self-Insurance	0.00
Sewer Utility	531,021.36
Street Opening	0.00
Tax Sale Redemption	107,440.50
Tree Fund	0.00
Tree Planting	270.00
Trust	133,302.68
Edison Water Utility	609,047.88
Edison Landfill Closure Trust	0.00
TOTAL	\$3,196,195.19

/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.

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 **\$146,794.85**.

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 **\$4,411.37**.

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 **\$ 25,223.46**, 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 **\$ 25,223.46**.
 - 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.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$28,475,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$27,051,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Edison, in the County of Middlesex, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$28,475,000, and including the aggregate sum of \$1,423,750 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$27,051,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation

therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Public Safety Department</u>	\$1,000,000	\$950,000	20 years
1) The acquisition of a fire engine/pumper, including all related costs and expenditures incidental thereto.			
2) The design, procurement and installation of solar powered feedback signs at Brotherhood, Ethel, Old Post Boulevard and McKinley, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$530,000	\$503,500	10 years
3) Various roadway striping project, including, but not limited to, centerline striping, train crossing striping and signate and "do not block the box" striping and further including all work and materials necessary therefor and incidental thereto.	\$220,000	\$209,000	10 years
4) The design, construction and installation of a pedestrian flashing beacon system at Old Post Road and Boulevard of the Eagles, including all work and materials necessary therefor and incidental thereto.	\$170,000	\$161,500	10 years
5) The acquisition of vehicles and equipment, including all related costs and expenditures incidental thereto.	\$300,000	\$285,000	5 years
b) <u>Engineering Department</u>			

<p>1) Paving and resurfacing of various roads, all as set forth on a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.</p> <p>2) Various drainage and stormwater projects throughout the Township, including all work and materials necessary therefor and incidental thereto.</p> <p>3) The Amboy Avenue Improvement Project, including, but not limited to, street scape, sidewalk and crosswalk improvements, tree and landscaping improvements, irrigation system improvements, signage, road resurfacing, lighting and other public improvements and further including all work and materials necessary therefor and incidental thereto.</p>	<p>\$8,250,000</p> <p>\$1,100,000</p> <p>\$1,800,000</p>	<p>\$7,837,500</p> <p>\$1,045,000</p> <p>\$1,710,000</p>	<p>10 years</p> <p>20 years</p> <p>10 years</p>
<p>c) <u>Public Works Department</u></p> <p>1) The acquisition of vehicles and equipment, including, but not limited to, dump trucks, backhoes, paving units, salt spreading equipment, tree removal vehicles and equipment utility vehicles, trailers and other mobile equipment and further including all related costs and expenditures incidental thereto.</p> <p>2) Various building improvements and renovations, including, but not limited to, construction and repairs, lighting, alarm systems, heating, ventilation and air-conditioning systems and related accessories and further including all work and materials necessary therefor</p>	<p>\$4,350,000</p> <p>\$1,720,000</p>	<p>\$4,132,500</p> <p>\$1,634,000</p>	<p>10 years</p> <p>15 years</p>

and incidental thereto.			
3) Improvements to various parks, including, but not limited to, renovations and improvements to park facilities and related accessories and appurtenances and further including all work and materials necessary therefor and incidental thereto.	\$6,875,000	\$6,531,250	15 years
4) The acquisition and installation of fuel tanks and related systems, including, but not limited to, the removal of existing equipment and remediation, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$1,650,000	\$1,567,500	15 years
d) <u>Recreation Department</u> The acquisition of vehicles and equipment, including all related costs and expenditures incidental thereto.	\$85,000	\$80,750	5 years
e) <u>Information Technology Department</u> The acquisition and installation of network infrastructure components and switches and upgrades to the telecommunication system, including, but not limited to, equipment, desktop computers, monitors, storage area network and upgrades to VMWare system and supplies, including all related costs and expenditures incidental thereto.	<u>\$425,000</u>	<u>\$403,750</u>	5 years
Total	<u>\$28,475,000</u>	<u>\$27,051,250</u>	

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

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

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 12.39 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$27,051,250, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$2,350,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

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

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

ORDINANCE O.2221-2024

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SOLID WASTE COLLECTION DISTRICT IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,400,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Edison, in the County of Middlesex, New Jersey (the "Township"). For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$1,400,000. No down payment is required as the purposes authorized herein are deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,400,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) The acquisition of various vehicles, trucks and equipment, including all related costs and expenditures incidental thereto.	\$950,000	\$950,000	5 years
b) Renovations and repairs to various facilities, including, but not limited to, roof replacements and repairs and further including all work and materials necessary therefor and incidental thereto.	<u>\$450,000</u>	<u>\$450,000</u>	15 years
Total:	<u>\$1,400,000</u>	<u>\$1,400,000</u>	

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

report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as self-liquidating purposes of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.21 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,400,000, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) There is no aggregate amount for items of expense listed in and permitted under N.J.S.A. 40A:2-20 included in the estimated cost indicated herein for the purposes or improvements.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Township pursuant to N.J.S.A. 40A:2-44(c).

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

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

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

its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

RESOLUTION

**A RESOLUTION OF THE TOWNSHIP OF EDISON APPROVING TITLE VI
NON- DISCRIMINATION POLICY FOR THE SENIOR CITIZEN
TRANSPORTATION PROGRAM**

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

WHEREAS, the Township's Department of Health provides transportation services to senior citizen residents, free of charge, who have no other means of transportation; and

WHEREAS, to receive money from the Federal Transit Administration as a recipient or sub-recipient, the Township is required to implement a non-discrimination policy to ensure compliance with Title VI of the Civil Rights Act of 1964 (hereinafter referred to as "the Act"); and

WHEREAS, the Township has drafted a Title VI Policy to ensure continued compliance with the Act, which was subsequently reviewed by the New Jersey Department of Transportation and found to be fully compliant with federal requirements; and

WHEREAS, the Township's Municipal Council must approve the approved Title VI Policy in order to be in full compliance with the Act.

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 Township of Edison accepts the attached Title VI Non-Discrimination Policy as approved by the New Jersey Department of Transportation.
2. The Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary to ensure compliance with this Resolution.

ITEM 11. A.

RESOLUTION

EXPLANATION: Resolution Refunding Engineering Inspection Fees to Markim Developers, LLC, 910 Amboy Avenue, Edison, NJ 08837, for 42 Cinder Road, Edison, NJ 08820, Application: Z30-2014, Account # 7763328828.

WHEREAS, the Township Engineer advises that a final inspection was made of 42 Cinder Road, located in Block: 643-DD, Lots: 15-D & 15-L, Application # Z30-2014, 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, certificates of occupancies were issued on May 11, 2015.

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 \$602.84, which represents the amount due and owing the applicant, be returned to Markim Developers, LLC, having an address at 910 Amboy Avenue, Edison, NJ 08837, Account # 7763328828.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$602.84, plus accrued interest, if applicable, be refunded to the applicant, Markim Developers, LLC, having an address at 910 Amboy Avenue, Edison, NJ 08837, Account # 7763328828.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$602.84, plus any accrued interest, if applicable, in account # 7763328828, to the applicant, Markim Developers, LLC, having an address at 910 Amboy Avenue, Edison, NJ 08837, for the referenced properties at 42 Cinder Road, Edison, NJ 08820.

RESOLUTION

EXPLANATION: Resolution Refunding Engineering Inspection Fees to Markim Developers, LLC, 910 Amboy Avenue, Edison, NJ 08837 for 308-310 Plainfield Road, formerly Chen/Wang Subdivision, Edison, NJ 08820, Application: P5066, Z2130-04/05, Account # 7763595237.

WHEREAS, the Township Engineer advises that a final inspection was made of 308-310 Plainfield Road, formerly Chen/Wang Subdivision, located in Block: 557.E, Lot: 29, Application #P5066, Z2130-04/05, 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, a certificate of occupancy was issued on November 21, 2017.

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

WHEREAS, it is in now in order that the sum of \$6.05, which represents the amount due and owing the applicant, be returned to Markim Developers LLC, having an address at 910 Amboy Avenue, Edison, NJ 08837, Account # 7763595237.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$6.05, plus accrued interest, if applicable, be refunded to the applicant, Markim Developers, LLC, having an address at 910 Amboy Avenue, Edison, NJ 08837, Account # 7763595237.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$6.05, plus any accrued interest, if applicable, in account #7763595237, to the applicant, Markim Developers, LLC, having an address at 910 Amboy Avenue, Edison, NJ 08837 for the referenced properties at 308-310 Plainfield Road, Formerly Chen/Wang Subdivision, Edison, NJ 08820.

RESOLUTION

EXPLANATION: Resolution Refunding Engineering Inspection Fees to Markim Developers, LLC, 910 Amboy Avenue, Edison, NJ 08837 for 905 Grove Avenue, Edison, NJ 08820, Application: P5164, Account # EI170925MA, Subaccount # 68391994.

WHEREAS, the Township Engineer advises that a final inspection was made of 905 Grove Avenue, located in Block: 427 Lot: 8.10, Application # P5164, 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, a certificate of occupancy was issued on June 29, 2017.

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

WHEREAS, it is in now in order that the sum of \$1,227.00, which represents the amount due and owing the applicant, be returned to Markim Developers, LLC, having an address at 910 Amboy Avenue, Edison, NJ 08837, Account # EI170925MA, Subaccount # 68391994.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$1,227.00, plus accrued interest, if applicable, be refunded to the applicant, Markim Developers, LLC, having an address at 910 Amboy Avenue, Edison, NJ 08837, Account # EI170925MA. Subaccount # 68391994.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$1,227.00, plus any accrued interest, if applicable, in account #EI170925MA, subaccount # 68391994, to the applicant, Markim Developers LLC, having an address at 910 Amboy Avenue, Edison, NJ 08837 for the referenced property at 905 Grove Avenue, Edison, NJ 08820.

RESOLUTION

EXPLANATION: Resolution Releasing Maintenance Bond# 35637 to Markim Developers, LLC, 910 Amboy Avenue, Edison, NJ 08817, for 42 Cinder Road on Site Improvements Under Application No. Z30-2014.

WHEREAS, the Township Engineer advises that an inspection has been made of 42 Cinder Road, located at Block: 643-DD and Lots: 15-D & 15-L, Application # Z30-2014, and said inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on May 19, 2015, Markim Developers, LLC, posted Maintenance Bond # 35637 in the amount of \$10,659.83 of The Service Insurance Company Inc. 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 # 35637 in the amount of \$10,659.83. The principal being Markim Developers, LLC, having offices at 910 Amboy Avenue, Edison, NJ 08837 and acceptance of the subject improvements; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to release the aforesaid Maintenance Bond # 35637 in the amount of \$10,659.83.

BE IT FURTHER RESOLVED that the Township Clerk be and is hereby authorized to release the aforesaid Maintenance Bond # 35637 in the amount of \$10,659.83, to the applicant Markim Developers, LLC, having an address at 910 Amboy Avenue, Edison, NJ 08837, for 42 Cinder Road, Edison, NJ 08820.

RESOLUTION

EXPLANATION: Resolution Release of Performance Bond # 55227 – Receipt of Maintenance Bond to Fox and Foxx Development LLC, 940 Amboy Avenue, Suite 101, Edison, NJ 08837, for 28 Lillian Street, also known as 22 & 28 Lillian Street, Application P5241.

WHEREAS, on November 14, 2024, Fox and Foxx Development LLC, having offices at 940 Amboy Avenue, Suite 101, Edison, NJ 08837, posted a Performance Surety Bond # 55227, dated November 9, 2022 of The Service Insurance Company, Inc, having offices at 80 Main Street, Suite 330, West Orange, NJ 07052 in the amount \$26,533.85, to guarantee the installation of improvements for the project known as 28 Lillian Street, also known as 22 & 28 Lillian Street, located in Block 224 and Lots # 35-40 and designated Application # P5241; and

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

WHEREAS, certificates of occupancies were issued on August 18, 2023 and August 20, 2023.

WHEREAS, the Department of Planning and Engineering is in receipt of Maintenance Bond, check # 3886 of Lakeland Bank, dated March 5, 2024, in the amount of \$9,672.38 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 Performance Surety Bond # 55227 of The Service Insurance Company Inc, in the amount of \$26,533.85 be released.

BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby authorized to release the Performance Surety Bond# 55227 in the amount of \$26,533.85 to Fox and Foxx Development LLC, having offices at 940 Amboy Avenue, Suite 101, Edison, NJ 08817 for 28 Lillian Street, also known as 22 & 28 Lillian Street.

RESOLUTION

EXPLANATION: Resolution Release of Performance Bond # 55806 – Receipt of Maintenance Bond to Fox and Foxx Development, LLC, Suite 101, Edison, NJ 08837, for 71 Jersey Avenue, AKA 50 & 52 Philip Street, Application P5246.

WHEREAS, on February 7, 2023, Fox and Foxx Development, LLC, having offices at 940 Amboy Avenue, Suite 101, Edison, NJ 08837, posted Performance Surety Bond # 55806 of The Service Insurance Company, having offices at 80 Main Street, Suite 330, West Orange, NJ 07052 dated February 3, 2023, in the amount of \$67,613.83, to guarantee the installation of improvements for the project known as 71 Jersey Avenue, AKA 50 & 52 Philip Street located in Block 653 and Lot 1.01 and designated Application # P5246; and

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

WHEREAS, certificates of occupancies were issued on February 27, 2023 and September 8, 2023.

WHEREAS, the Department of Planning and Engineering is in receipt of Maintenance Bond, check # 3887 of Lakeland Bank, dated March 5, 2024, in the amount of \$4,204.93 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 Performance Surety Bond # 55806 of The Service Insurance Company in the amount of \$67,613.83 be released.

BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby authorized to release the Performance Surety Bond# 55806 in the amount of \$67,613.83 to Fox and Foxx Development, LLC, having an address at 940 Amboy Avenue, Suite 101, Edison, NJ 08837, for 71 Jersey Avenue, AKA 50 & 52 Philip Street.

ITEM 11. G.

WHEREAS, on April 2, 2024 a Zoning Permit # ZP-24-00261, check # 3640 was posted in the total amount of \$300 by ST. PAUL'S EVANGELICAL LUTHERAN CHURCH

WHEREAS, the application was submitted to construct a 30' x 40' pole barn. The property is a Religious use who is eligible for waiver of Municipal fees on Zoning permits per the Edison Municipal Code, Chapter 2-128.3; and

WHEREAS, the Township Zoning Officer recommends the refund of the Municipal permit fee on Zoning Permit # ZP-24-00261, in the amount of \$300

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$300 from the Refund Revenue Fund to ST. PAUL'S EVANGELICAL LUTHERAN CHURCH for the property located at 445 OLD POST ROAD.

ITEM 11. H

RESOLUTION AUTHORIZING CHANGE ORDER # 4 FOR PUBLIC BID NO. 23-30-04 WITH SHORELANDS CONSTRUCTION INC. FOR THE TOTTH HEALTH & SENIOR CENTER RENOVATION

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

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

WHEREAS, Resolution R.631-112023 approved Change Order #2 in the amount of \$99,112.00; and

WHEREAS, Resolution R.022-012024 approved Change Order #3 in the amount of \$32,892.53; and

WHEREAS, Change Order # 4 is needed for additional site remediation and removal of soils contaminated by previously removing underground storage tanks associated with NJDEP Case# 20-09-22-1546-32 in the total amount of \$60,000.00 increasing the total contract award to \$5,502,854.53; and

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

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

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, that Emergency Change Order # 4 to the contract with SHORELANDS CONSTRUCTION INC. is hereby authorized in the amount of \$60,000.00 for a total amended contract amount of \$5,502,854.53.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$60,000.00** are available for the above in Account No 4-01-20-0165-000-028.

Lina Vallejo
Chief Financial Officer

ITEM 11 i.

**RESOLUTION AUTHORIZING CHANGE ORDER # 1 FOR PUBLIC BID NO. 23-30-02R WITH
EPIC MANAGEMET FOR THE EDISON TOWNSHIP SPORTS BUILDING**

WHEREAS, Resolution R.449-072023 authorized Contract No. 23-30-02R with EPIC MANAGEMENT, 136 ELEVENTH STREET, PISCATAWAY, NJ 08854, for the EDISON TOWNSHIP SPORTS BUILDING in the amount of \$10,787,000.00; and

WHEREAS, Change Order #1 in the amount of \$187,433.40 is needed to revise the type of roof on the pre-engineered building from a Perlin Bear Rib system to a standing seam roof; and

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

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

NOW, THEREFORE, IT IS RESOLVED, by the Township Council of the Township of Edison, that Change Order #1 to the contract with EPIC MANAGEMENT, is hereby authorized in the amount of \$187,433.40 for a total amended contract amount of \$10,974,433.40.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$187,433.40** are available for the above in Account No. **C-04-24-2203-101-006**.

Lina Vallejo
Chief Financial Officer

Date

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 STO0000862, to the following:

Permit Number: DEV-24-0716

Opening Location: 6 LIBRARY PL

Block/Lot: 546.34/9

Applicant's Name & Address:

**NIRAJ SHAH
6 LIBRARY PL
EDISON, NJ 08820**

Initial Deposit Date: 4/12/2024

Deposit Amount: \$2,480.00

Paid by & refunded to:

**NIRAJ SHAH
6 LIBRARY PL
EDISON, NJ 08820**

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

ITEM 12. B.

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO SHORE TOP CONSTRUCTION CORP., FOR THE EDISON COURTS – PHASE II PROJECT

WHEREAS, bids were received by the Township of Edison on May 8, 2024 for Public Bid 24-30-02 – Edison Courts – Phase II; and

WHEREAS, SHORE TOP CONSTRUCTION CORP., 23 Yellowbrook Rd, Freehold, NJ 07728, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of this purchase shall not exceed \$1,068,884.60; and

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

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

3. All bids have been reviewed, and the bid submitted by SHORE TOP CONSTRUCTION CORP., for the Edison Courts – Phase II project is determined to be the lowest legally responsible, responsive bid.
4. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$1,068,884.60 and any other necessary documents, with SHORE TOP CONSTRUCTION CORP., as described herein.
5. The Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$1,068,884.60** are available as follows:

- \$83,581.60 in Account No. C-04-21-2128-107-001
- \$985,303.00 in Account No. C-04-21-2128-110-001

Lina Vallejo
Chief Financial Officer

ITEM 13. A.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
GATHA BHARGAVA FOR THE ABC PROGRAM**

WHEREAS Gatha Bhargava made payment in the amount of \$220.00 for her child Viraaj Tiwari's participation in the ABC Program at James Madison Intermediate School for the month of June, 2024; and

WHEREAS the child was removed from the ABC Program prior to attending in June; 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 \$220.00 to Gatha Bhargava, 7 Gallo Way, Edison, NJ 08820, which represents the amount for the ABC Program.

Vendor ID	Vendor Name	Vendor Address	Reason	Amt.	Req. #
GATHA005	Gatha Bhargava	7 Gallo Way, Edison, NJ 08820	ABC drop out	\$220.00	R4-03264

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$220.00 are available in Account #4-01-55-0291-000-000.

Q: bhargava_abc_reso
5/7/24 dwt

ITEM 13. A.

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
SRAVANTHI REDDY BACHIREDDY FOR THE ABC PROGRAM**

WHEREAS Sravanthi Reddy Bachireddy made payment in the amount of \$220.00 for his child Anvika Arra's participation in the ABC Program at James Madison Intermediate School; and

WHEREAS the child was removed from the ABC Program prior to attending; 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 \$220.00 to Sravanthi Reddy Bachireddy, 10 Independence Dr., Edison, NJ 08820, which represents the amount for the ABC Program.

Vendor ID	Vendor Name	Vendor Address	Reason	Amt.	Req. #
SRAVA005	Sravanthi Reddy Bachireddy	10 Independence Dr., Edison, NJ 08820	ABC drop out	\$220.00	R4-03355

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$220.00 are available in Account #4-01-55-0291-000-000.

RESOLUTION

Authorizing park rental fees to be waived for an Edison Senior organization.

WHEREAS the Edison Recreation Department has fees for park rentals and,

WHEREAS the Edison Stelton Seniors will be hosting a Flea Market at Yelencsics Park on July 20, 2024
and,

WHEREAS the proceeds from the Flea Market will go to charity; and

WHEREAS, the Edison Stelton Seniors are requesting to have their fees waived; and

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that authorization be given to waive said fees.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the rental fees for use of Yelencsics Park shall be waived.

ITEM 13. C.

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO PRAGMATECH SOUND CORP.
FOR EVENT SERVICES 2024**

WHEREAS, bids were received by the Township of Edison on April 26, 2024 for Public Bid 24-02-20R – Event Services 2024; and

WHEREAS, PRAGMATECH SOUND CORP., 4516 Byron Ave, Bronx, NY 10466, submitted the lowest legally responsible, responsive bid for Item Nos. 4 & 5 on the spreadsheet; and

WHEREAS, Item No. 3 is not being awarded as this time as the scope has changed and the Township will re-bid/re-quote at a future date; and

WHEREAS, the maximum amount of this purchase shall not exceed \$45,972.00; 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. All bids have been reviewed, and the bid submitted by PRAGMATECH SOUND CORP., for Event Services 2024 is determined to be the lowest legally responsible, responsive bid for Item Nos. 4 & 5 on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$45,972.00 and any other necessary documents, with PRAGMATECH SOUND CORP., as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$45,972.00** are available in Account No. **4-01-30-0420-000-020**.

Lina Vallejo
Chief Financial Officer

Date

ITEM 14. A.

RESOLUTION AUTHORIZING CONTRACT/PURCHASE ORDER TO CHAS S WINNER INC FOR POLICE PURSUIT RATED VEHICLES

WHEREAS, there is a need to purchase twelve (12) new 2025 Ford Utility Interceptors for the Division of Police; 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, CHAS S WINNER INC., 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034 has been awarded State Contract Number 20-FLEET-01189 under T2776 Police Pursuit and Special Service Vehicles: Gasoline, Hybrid, and Plug-In Hybrid Vehicles; and

WHEREAS, the total amount of this contract shall not to exceed \$519,052.80 (\$43,254.40 per vehicle); 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 total amount not to exceed \$519,052.80, and any other necessary documents, with CHAS S WINNER INC., as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract Number 20-FLEET-01189 under T2776.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$519,052.80** are available for the above in Account No. **C-04-18-2028-105-000**.

Lina Vallejo
Chief Financial Officer

**RESOLUTION AUTHORIZING A REFUND FOR OVERPAYMENT ON A RAFFLE
LICENSE**

WHEREAS, Melani Valenti made a payment for a Basket Raffle RL: 5757-2024 in the amount of \$100.00.

WHEREAS, according to the Legalized Games of Chance Control Commission (LGCCC) she over paid by \$80.00.

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 \$80.00 to Melani Valenti, 519 Park Avenue, Apt. 13, Scotch Plains, NJ 07076.

RESOLUTION R.

Explanation: A Resolution authorizing the sale of one (1) Plenary Retail Distribution Liquor License and further authorizing the Township Clerk to advertise for bid proposals for same pursuant to N.J.S.A. 33:1-19.1

WHEREAS, there are presently thirty-three (13) plenary retail distribution licenses in the Township of Edison (“Township”) held by licensees; and

WHEREAS, pursuant to N.J.S.A. 33:1-12.14, new plenary retail consumption licenses may be issued in a municipality so long as the number of such licenses existing in the municipality is not greater than one for each 7,500 of its population according to the most recent estimates issued by the U.S. Bureau of the Census; and

WHEREAS, the Township has a population of nearly 107,000 people and may issue a new plenary retail consumption license; and

WHEREAS, the Municipal Council of the Township (“Municipal Council”) has determined it is reasonable and desirable to issue one (1) new plenary retail distribution license and to sell same at public sale, pursuant to the authority granted under State law and Chapter VI, Section 6-3.4 of the Township Code of Ordinances (“Code”); and

WHEREAS, the Municipal Council has determined to offer the opportunity to purchase said license to all qualified parties, in accordance with State law.

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

1. The Township of Edison hereby determines that it will sell at public sale one (1) new plenary retail Distribution license for the sale of alcoholic beverages, in accordance with the procedures set forth at N.J.S.A. 33:1-19 *et seq.*
2. The Township Clerk shall publish a notice of the proposed issuance of the new alcoholic beverage license (“Notice”), indicating that applications therefore will be accepted by the Township at the time, date and place specified in the Notice. The Notice shall state that no applications shall be accepted later than **Wednesday, July 10, 2024 at 1:00 p.m.** All other conditions for the submission and acceptance of bids required hereunder shall be stated in the Notice.
3. The Notice shall be published in a newspaper circulating generally in the municipality at least two times, at least one week apart; the second of which shall be at least 30 days prior to the date after which no further applications will be accepted *i.e.* 30 days prior to **Wednesday, July 17, 2024 at 3:00 p.m.**
4. Bids must be made utilizing the Proposal Form available in the Office of the Township Clerk. The name and address of the bidder shall appear on the outside of the sealed envelope. All bidders must be qualified to have an interest in a retail alcoholic license under the standards set forth in the Alcoholic Beverage Control Act, N.J.S.A. 33:1-1 *et seq.* (“ABC Act”), the regulations promulgated thereunder at N.J.A.C. 13:2-1.1 *et seq.* (“ABC Regulations”), and all applicable Township ordinances and this Resolution.
5. All submitted bids must contain a deposit in the form of a certified check for 20% of the bid price. Once a bid is submitted to the Township Clerk, it cannot be withdrawn by the bidder. The highest bidder shall pay the balance of the bid to the Township Clerk in the form of cash or certified check within 30 days of the adoption of a resolution accepting the highest qualified bid. In the event of a default or breach of promise by the successful bidder, all deposit monies shall be forfeited to the Township.
6. The minimum bid price for the new Retail Distribution License shall be \$ 850,000.00.
7. All bids must contain a full and complete New Jersey Division of Alcoholic Beverage Control Application for Retail Alcoholic Beverage License long form application, a Certification of Proof of Compliance (available from the Township Clerk) stating that the applicant meets any and all conditions and requirements and knows of no reason why he or she would be disqualified from having an interest in a retail consumption license in New Jersey, and, a separately sealed envelope with the applicant's bid on the Township Proposal Form and the bid deposit (20% of the bid price). The Township Clerk will publicly announce and publish those applicants who presumptively meet the qualifications for bidding, as fixed by

law, rules, regulations and resolution, on **Wednesday, July 10, 2024 shortly after 1:00 p.m.**, being the time after which no applications will be accepted (and being five days prior to the opening of bids, which opening shall occur on **Wednesday, July 17, 2024 at 3:00 p.m.**) No bids will be opened from or on behalf of a bidder who has not been identified as presumptively meeting the pre-qualifications for bidding.

8. The Township reserves the right to reject any and all bids if the highest bid is not accepted.
9. The successful bidder shall tender payment of all required State and local application fees and license fees prior to licensure.
10. The issuance of the license to the successful bidder shall be contingent upon the satisfactory outcome of a municipal background check to investigate the source of funds used to purchase the license, the receipt of a favorable State and/or federal criminal background check; and the compliance with the publication, hearing, and resolution requirement under the ABC Regulations for the issuance of new licenses.
11. The municipality shall only award the license to the person who is the highest qualified bidder. The operation of a restaurant, public accommodation or other facility shall be a condition of licensure.
12. The successful applicant must comply with all ordinances of the Township, State laws and regulations in locating the license.
13. The sale may be postponed or canceled at any time prior to the opening of the bids on **Wednesday, July 17, 2024 at 3:00 p.m.**

ORDINANCE O.2217-2024

EXPLANATION: This Ordinance amends the Edison Township Code to establish rates the Township charges users of the Township’s water system.

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

WHEREAS, the municipal council of the Township (the “**Municipal Council**”) has determined to amend the Township Code of General Ordinances (the “**Code**”) to establish rates the Township charges users of the Township’s water system (the “**Water System**”) effective **July 1, 2024**; and

WHEREAS, the Municipal Council has determined to amend Chapter 27, Subchapter 2.35(a) of the Code to read as follows (additions are underlined, and deletions noted in ~~strikethrough~~):

- a. A minimum charge for general metered service shall be charged quarterly and shall be based on the size of the meter in service with the amount of water allowance within the minimum charge.

Size of Meter (inches)	Water Allowance per Quarter (cubic feet)	Charge per Quarter
5/8 to 3/4	950	\$26.03 <u>26.68</u>
1	3,000	\$117.49 <u>120.43</u>
1 1/2	5,000	\$195.81 <u>200.71</u>
2	8,000	\$313.26 <u>321.09</u>
3	18,000	\$652.18 <u>668.48</u>
4	30,000	\$1043.08 <u>1069.16</u>
6	57,000	\$1922.63 <u>1970.70</u>
8	90,000	\$2997.60 <u>3072.54</u>
10	120,000	\$3974.85 <u>4074.22</u>
12	170,000	\$5603.58 <u>5743.67</u>

WHEREAS, the Municipal Council has determined to amend Chapter 27, Subchapter 2.35(b) of the Code to read as follows (additions are underlined, and deletions noted in ~~strikethrough~~):

- b. Water delivered shall be charged at the following rates:

Rate

~~\$64.57~~ 66.18 per thousand cubic feet

WHEREAS, the Municipal Council has determined to amend Chapter 27, Subchapter 2.35(c) of the Code to read as follows (additions are underlined, and deletions noted in ~~strikethrough~~):

- c. For fire protection, the Department of Water and Sewer shall be paid a quarterly charge of \$~~591.96~~ 606.76 per fire hydrant on private property.

WHEREAS, the Municipal Council has determined to amend Chapter 27, Subchapter 2.35(d) of the Code to read as follows (additions are underlined, and deletions noted in ~~strikethrough~~):

- d. Fire line service.
 - 1. There shall be a charge for metered Fire Service line based on the size of the meter and unmetered fire line service based on the size of the service, without hose or hydrant connected to them, according to the following table:

Size of Service (inches)	Charge per Quarter
2	\$ 180.83 <u>185.35</u>
4	\$ 652.04 <u>668.34</u>
6	\$ 1,171.12 <u>1,200.40</u>
8	\$ 1,759.23 <u>1,803.21</u>
10	\$ 2,344.79 <u>2,403.41</u>
12	\$ 2,930.35 <u>3,003.61</u>

- 2. There shall be a quarterly charge for metered Fire Service line based on the size of the meter and unmetered fire line service based on the size of the service, with hose or hydrant connected to them, according to the following table:

Size of Service (inches)	Charge per Quarter
4	\$ 879.62 <u>901.61</u>
6	\$ 1,465.17 <u>1,501.80</u>
8	\$ 2,344.79 <u>2,403.41</u>
10	\$ 3,186.04 <u>3,265.69</u>
12	\$ 3,822.74 <u>3,918.31</u>

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

- 1. The aforementioned recitals are incorporated herein as though fully set forth at length.
- 2. The Municipal Council has determined to amend Chapter 27, Subchapter 2.35(a) of the Code to read as follows:

a. A minimum charge for general metered service shall be charged quarterly and shall be based on the size of the meter in service with the amount of water allowance within the minimum charge.

Size of Meter (inches)	Water Allowance per Quarter (cubic feet)	Charge per Quarter-
5/8 to 3/4	950	\$26.68
1	3,000	\$120.43
1 1/2	5,000	\$200.71
2	8,000	\$321.09
3	18,000	\$668.48
4	30,000	\$1,069.16
6	57,000	\$1,970.70
8	90,000	\$3,072.54
10	120,000	\$4,074.22
12	170,000	\$5,743.67

3. The Municipal Council hereby amends Chapter 27, Subchapter 2.35(b) of the Code to read as follows:

(b) Water delivered shall be charged at the following rates:

Rate

\$66.18 per thousand cubic feet

4. The Municipal Council hereby amends Chapter 27, Subchapter 2.35(c) of the Code to read as follows:

(c) For fire protection, the Department of Water and Sewer shall be paid a quarterly charge of **\$606.76** per fire hydrant on private property.

5. The Municipal Council hereby amends Chapter 27, Subchapter 2.35(d) of the Code to read as follows:

d. Fire line service.

1. There shall be a charge for metered Fire Service line based on the size of the meter and unmetered fire line service based on the size of the service, without hose or hydrant connected to them, according to the following table:

Size of Service (inches)	Charge per Quarter
-----------------------------	--------------------

2	\$185.35
4	\$668.34
6	\$1,200.40
8	\$1,803.21
10	\$2,403.41
12	\$3,003.61

2. There shall be a quarterly charge for metered Fire Service line based on the size of the meter and unmetered fire line service based on the size of the service, with hose or hydrant connected to them, according to the following table:

Size of Service (inches)	Charge per Quarter
4	\$901.61
6	\$1,501.80
8	\$2,403.41
10	\$3,265.69
12	\$3,918.31

6. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 27 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the rates the Township charges users of the Water System heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

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

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

9. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

ORDINANCE O.2218-2024

EXPLANATION: This Ordinance amends the Edison Township Code to revise and update the **2024** per gallon water rates the Township charges residential and non-residential users for the discharge of normal domestic sewage and the rates charged Significant Industrial Users of the Township’s sewer system.

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

WHEREAS, the municipal council of the Township (the “**Municipal Council**”) has determined to amend the Township Code of General Ordinances (the “**Code**”) to revise and update the 2020 per gallon and annual water rates the Township charges residential and non-residential users for the discharge of normal domestic sewage and the rates charged Significant Industrial Users (“**SIUs**”) of the Township’s sewer system; and

WHEREAS, the Municipal Council has determined to amend Chapter 27, Subchapter 8.1(a) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

27-8.1 Sewer System Fees and Rates.

a. All residential users of the Township sanitary sewer system discharging normal domestic sewage, as herein described in the sanitary sewer use regulations, shall be charged at a rate of ~~[\$0.004428]~~\$0.004539 per gallon of water consumed, provided that the users are using metered water. This rate shall be effective as of January 1, ~~[2020]~~ 2024 and shall remain unchanged in all subsequent calendar years unless modified by ordinance. All users of the aforesaid sanitary sewer system whose discharged water originated from a well or non-metered source shall, except as provided in paragraph h. below, be charged as follows:

~~[\$274.26]~~ \$281.12 in ~~[2020]~~ 2024. This amount shall remain unchanged in all subsequent calendar years unless modified by ordinance; and

WHEREAS, the Municipal Council has determined to amend Chapter 27, Subchapter 8.1(c) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

c. Nonresidential users shall be charged per gallon of water consumed, as follows:

	[2020*]	<u>2024*</u>
Class I	[0.006975]	<u>0.007149</u>
Class II	[0.009658]	<u>0.009899</u>
Class III	[0.010980]	<u>0.011255</u>
Class IV	[0.013049]	<u>0.013375</u>

*The sewer rates for ~~[2020]~~ 2024 established above shall be effective as of January 1, ~~[2020]~~ 2024 and shall remain unchanged in all subsequent calendar years unless modified by ordinance.

The volume of sewage and/or industrial waste from each industrial establishment or SIU may be determined by meters paid for and installed and maintained by the owner or such user, actual water meter records and/or private well meter records combined with Township water records, or from estimates or measurements made by the Township Consulting Engineer, as the case may be. The user fee of SIUs shall be calculated using one of the aforementioned methods of measuring SIU usage and volume, and shall be charged as follows:

	[2020*]	<u>2024*</u>
No. 1 Flow**	[\$897.28]	<u>\$919.71</u> per million gallons
No. 2 BOD (Bio-Oxygen Demand)	[\$1,141.50]	<u>\$1,170.04</u> per ton
No. 3 SS (Suspended Solids)	[\$1,273.41]	<u>\$1,305.25</u> per ton
No. 4 CD (Chlorine Demand)	[\$285.74]	<u>\$292.88</u> per cwt

*The user fees of SIUs for ~~[2020]~~ 2024 established above shall be effective as of January 1, ~~[2020]~~ 2024 and shall remain unchanged in all subsequent calendar years unless modified by ordinance.

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

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

6. The Municipal Council hereby amends Chapter 27, Subchapter 8.1(a) of the Code to read as follows the Municipal Council has determined to amend Chapter 27, Subchapter 8.1(c) of the Code to read as follows (additions are underlined and deletions are in [brackets]):

27-8.1 Sewer System Fees and Rates.

a. All residential users of the Township sanitary sewer system discharging normal domestic sewage, as herein described in the sanitary sewer use regulations, shall be charged at a rate of [~~\$0.004428~~]\$0.004539 per gallon of water consumed, provided that the users are using metered water. This rate shall be effective as of January 1, [~~2020~~] 2024 and shall remain unchanged in all subsequent calendar years unless modified by ordinance. All users of the aforesaid sanitary sewer system whose discharged water originated from a well or non-metered source shall, except as provided in paragraph h. below, be charged as follows:

[~~\$274.26~~] \$281.12 in [~~2020~~] 2024. This amount shall remain unchanged in all subsequent calendar years unless modified by ordinance.

7. The Municipal Council hereby amends Chapter 27, Subchapter 8.1(c) of the Code to read as follows:

c. Nonresidential users shall be charged per gallon of water consumed, as follows:

	[2020*]	<u>2024*</u>
Class I	[0.006975]	<u>0.007149</u>
Class II	[0.009658]	<u>0.009899</u>
Class III	[0.010980]	<u>0.011255</u>
Class IV	[0.013049]	<u>0.013375</u>

*The sewer rates for [~~2020~~] 2024 established above shall be effective as of January 1, [~~2020~~] 2024 and shall remain unchanged in all subsequent calendar years unless modified by ordinance.

The volume of sewage and/or industrial waste from each industrial establishment or SIU may be determined by meters paid for and installed and maintained by the owner or such user, actual water meter records and/or private well meter records combined with Township water records, or from estimates or measurements made by the Township Consulting Engineer, as the case may be. The user fee of SIUs shall be calculated using one of the aforementioned methods of measuring SIU usage and volume, and shall be charged as follows:

	[2020*]	<u>2024*</u>
No. 1 Flow**	[\$897.28]	<u>\$919.71</u> per million gallons
No. 2 BOD (Bio-Oxygen Demand)	[\$1,141.50]	<u>\$1,170.04</u> per ton
No. 3 SS (Suspended Solids)	[\$1,273.41]	<u>\$1,305.25</u> per ton
No. 4 CD (Chlorine Demand)	[\$285.74]	<u>\$292.88</u> per cwt

*The user fees of SIUs for [~~2020~~] 2024 established above shall be effective as of January 1, [~~2020~~] 2024 and shall remain unchanged in all subsequent calendar years unless modified by ordinance.

4. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance in to the Code. All of the remaining provisions in Chapter 27 of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the per gallon and/or annual water rates the Township charges non-residential users for the discharge of normal domestic sewage and the user fees charged SIUs heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

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

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

7. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

ORDINANCE O.2219-2024

TOWNSHIP OF EDISON
COUNTY OF MIDDLESEX, NEW JERSEY

CALENDAR YEAR 2024

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

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

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

WHEREAS, the Township Council of the Township of Edison in the County of Middlesex, N.J., finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 1.0 % increase in the budget for said year, amounting to **\$1,455,640.18** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Edison in the County of Middlesex, N.J., a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Township of Edison shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to **\$5,094,740.61** and that the CY 2024 municipal budget for the Township of Edison be approved and adopted in accordance with this ordinance; and,

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

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

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

ORDINANCE O.2222-2024

EXPLANATION: An Ordinance adopting the “Redevelopment Plan – John Street and Thomas Place” (Block 692.E, Lots 8.B, 9.A, 12, 13 and 14), pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “**Redevelopment Law**”), authorizes a municipality to determine whether certain property within the municipality constitutes an area in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”), by way of Resolution R.418-082020, adopted August 26, 2020, authorized and directed the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the property identified as Block 692.E, Lots 8.B, 9.A, 10, 11, 12, 13 and 14 on the Township’s Official Tax Maps (with frontage along but no access to U.S. Route 1, between John Street and Thomas Place) (the “**Study Area**”), and to determine that the Study Area meets the criteria for a Condemnation Redevelopment Area, pursuant to Sections 5 and 6 of the Redevelopment Law; and; and

WHEREAS, on February 17, 2021, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Municipal Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on April 14, 2021, by way of Resolution R. 193-042021, the Municipal Council accepted the recommendation of the Planning Board and adopted a resolution which designated the Study Area as an "area in need of redevelopment" in accordance with the Redevelopment Law; and

WHEREAS, on July 26, 2021, by way of Resolution R. 384-072021, the Municipal Council found that further study needed to be conducted of the Study Area, and rescinded Resolution R. 193-042021; and

WHEREAS, after a duly noticed hearing conducted on April 18, 2022, the Planning Board, by way of resolution, memorialized on May 16, 2022 and re-affirmed September 19, 2022, recommended that Block 692.E, Lots 8.B, 9.A, 12, 13 and 14 within the Study Area satisfied the criteria as an “area in need of redevelopment (condemnation) (the “**Redevelopment Area**”); and

WHEREAS, on January 25, 2023, by way of Resolution R. 034-012023, the Municipal Council accepted the recommendation of the Planning Board and adopted a resolution which designated the Redevelopment Area as an “area in need of redevelopment” in accordance with the Redevelopment Law, with such designation authorizing the Township to use all those powers provided by the Redevelopment Law, including the power of eminent domain; and

WHEREAS, in March 2024, a redevelopment plan entitled “Redevelopment Plan – John Street and Thomas Place” (the “**Redevelopment Plan**”), was prepared for the Redevelopment Area; and

WHEREAS, on April 10, 2024, by way of Resolution R. 177-042024, the Municipal Council referred the Redevelopment Plan to the Planning Board for its review and comment, pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law; and

WHEREAS, on April 29, 2024, the Planning Board reviewed the Redevelopment Plan and voted to recommend adoption; and

WHEREAS, the Municipal Council has considered the recommendations of the Planning Board and accepts same.

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

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

Section 2. The Redevelopment Plan, attached hereto as **Exhibit A**, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7.

Section 3. The zoning district map included in the zoning ordinance of the Township is hereby amended to include the Redevelopment Area per the boundaries described in the Redevelopment Plan. All of the provisions of the Redevelopment Plan shall supersede the applicable development regulations of the Township's municipal code, as and where indicated.

Section 4. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Township Clerk during regular business hours.

Section 5. This Ordinance shall take effect in accordance with all applicable laws.

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ORDINANCE O.2223-2024

AN ORDINANCE AMENDING CHAPTER 14 “BUILDING AND CONSTRUCTION” BY
AMENDING SECTION 14-7 “ELECTRIC VEHICLE CHARGING STATIONS (EVCS) IN
NEW AND MODIFIED DEVELOPMENTS REQUIRED

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, Chapter 14 “Building and Construction” of the Township Code of General Ordinances (hereinafter referred to as the “Code”) provides definitions, rules and regulations , and standards for the installation of Electric Vehicle Charging Stations within the Township; and

WHEREAS, supporting the transition to electric vehicles contributes to Edison Township’s commitment to sustainability and is in the best interest of public welfare; and

WHEREAS, installation of Electric Vehicle Supply/Service Equipment and Make-Ready parking spaces encourages electric vehicle adoption; and

WHEREAS, adoption of this ordinance supports the State of New Jersey’s goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to New Jersey’s 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, C.112 (C.26:2C-37 et al.)), and EV Law (P.L.2019, c. 362); and

WHEREAS, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires Electric Vehicle Supply/Service Equipment and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

WHEREAS, adoption of this ordinance will Support the Master Plan of the Township of Edison, and is consistent with the goals of the Master Plan as well as the land use, circulation, and environmental and sustainability elements of the Master Plan; and

WHEREAS, the Township wishes to amend Chapter 14 “Building and Construction” and in particular section 14-7 “Electric Vehicle Charging Stations (EVCS) in New and Modified Developments Required” to ensure conformity with State mandates regarding the installation of Electric Vehicle Charging Stations; and

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the Township of Edison, in the County of Middlesex, State of New Jersey, that Chapter 14, section 7 of the Township of Edison Municipal Code, entitled “Electric Vehicle Charging Stations (EVCS) in New and Modified Developments Required” be amended 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

ELECTRIC VEHICLE CHARGING STATIONS (EVCS) IN NEW AND MODIFIED DEVELOPMENTS REQUIRED.

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

CERTIFICATE OF OCCUPANCY

The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See “State Uniform Construction Code Act.” P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

CHARGING LEVEL

The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. **Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.**
2. **Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.**
3. **Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.**

ELECTRIC VEHICLE

A vehicle, that includes 1) a battery electric vehicle; and 2) a plug in hybrid electric vehicle. **Any vehicle that is licensed and registered for operation on public and private**

highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT or (EVSE)

The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. “EVSE” may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station.”

ELECTRIC VEHICLE CHARGING STATION

A public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

MAKE-READY PARKING SPACE

The pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make-ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Service Equipment on a “plug and play” basis. “Make-Ready” is synonymous with the term “charger ready,” as used in P.L.2019, c.362 (C.48:25-1 et al.).

PRIVATE EVSE

EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

PUBLICLY-ACCESSIBLE EVSE

EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

B. Approvals and Permits

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40-55D- 70~~Electric vehicle charging equipment (EVCE) and electric vehicle charging stations (EVCS) shall be considered permitted accessory uses in all zoning districts. Electric vehicle charging equipment and electric vehicle charging stations shall be permitted accessory uses in all zoning districts of the Township of Edison, subject to the limitation that an electric vehicle charging station located on the property of a one to four family home shall not be made available for use of the general public.~~

2. EVSE and Mark-Ready Parking Spaces installed pursuant to Section C. ~~below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1 above.~~

3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.

4. The municipal engineer and/or his designee shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of Edison Township's land use regulations.

5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:

a. The proposed installation does not violate bulk requirements applicable to the property or conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;

b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be

met; and

c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the “State Uniform Construct Code Act,” P.L. 1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.

6. An application pursuant to Section 5 above shall be deemed complete if:

a. The application, including the permit fee and all necessary document, is determined to be complete,

b. a notice of incompleteness is not provided within 20 days after the filing of the application, or

c. a one-time written correction notice is not issued by the enforcement official within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.

7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.

8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

C. ~~EVCE shall be permitted in a front yard area, subject to meeting all other setback requirements.~~

Requirements for New Installation of EVSE and Make-Ready Parking Spaces

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-used development, the developer or owner, as applicable, shall:

a. prepare as Make-Ready parking spaces at least fifteen (15) percent of the required off-street parking spaces, and install EVSE in at least one-third of the fifteen (15) percent of Make-Ready parking spaces; and

b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original fifteen (15) percent of Make-Ready parking spaces; and

c. within six (6) years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original fifteen (15) percent of Make-Ready parking spaces.

d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five (5) percent of the electric vehicle supply equipment shall be accessible for people with disabilities.

e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.

2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1 above shall:

a. Install at least one Make-Ready parking space if there will be 50 or fewer off- street parking spaces.

b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off- street parking spaces.

c. Install at least three Make-Ready parking spaces if there will be 76-100 off- street parking spaces.

d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101-150 off-street parking spaces.

e. Install at least four (4) percent of the total parking spaces as Make-Ready parking spaces, at least five (5) percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.

f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.

g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.

h. Notwithstanding the provisions of this Section, a retailer that provides twenty- five (25) or fewer off-street parking spaces or the developer or owner of a single- family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

3. To the extent not covered in sections 1 or 2 above, the following requirements to provide electric vehicle charging stations shall apply to all new site plans and all site plans coming before either the Planning Board or the Board of Adjustment for substantial modifications to a previously approved preliminary or final site plan approval. A revised site plan shall be considered a substantial modification if there is any significant alteration in the layout of the buildings, public or private roadways, parking aisles or parking lots from that which was previously approved by the applicable Board.

a.1- All developments of three or more single-family units and condominium units that are assigned a specific garage for the parking of their motor vehicle shall provide a 240-volt electric outlet in the garage in order to accommodate Level 2 electric vehicle charging equipment.

b.2. The use groups specified below shall provide either Level 2 EVCE with a minimum output rate of 7.2 kilowatts per hour or DC fast charging stations in the common parking areas in an amount equal to 3% of the required number of parking spaces, subject to a minimum of two EVCS per location. In addition, appropriately sized electrical conduit shall be installed to additional spaces in order to allow for future expansion of the number of EVCS to 7% of the required number of parking spaces. These additional EVCS shall be installed within six months of notification by the Township that the number of plug-in electric vehicles sold in the state annually exceeds 100,000 vehicles based upon figures provided by the New Jersey Department of Environmental Protection Bureau of Mobile Sources.

(1) All apartment complexes, townhouse complexes, condominium complexes and cooperative complexes in excess of 20 residential units that do not provide individual garages for parking of vehicles.

(2) All office developments and warehouse developments in excess of 20,000 square feet of office, warehouse or other useable space.

(3) All hotels and motels in excess of 50 guest rooms.

(4) All large retail establishments referred to as "big box stores," grocery stores, and other retail establishments in excess of 10,000 square feet, as well as all gymnasiums and health clubs in excess of 10,000 square feet.

(5) All restaurants not classified as a "drive-in restaurant" in excess of 2,000 square feet.

(6) All movie theatres, roller skating rinks,

commercial recreation establishments, mechanical amusement game rooms and other places of assembly.

c. **In addition,** the use groups specified below shall provide two EVCS in the common parking area, consisting of either DC fast charging stations or Level 2 EVCS with a minimum output rate of 15 kilowatts per hour.

(1) All automobile service stations that include a convenience store in excess of 4,000 square feet.

(2) All drive-in restaurants in excess of 2,000 square feet.

D. Mimimum Parking Requirements

~~1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum require parking spaces pursuant to the Township Code.~~

~~2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than ten (10) percent of the total required parking.~~

~~3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.~~

~~4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section C. above may be encouraged, but shall not be required in development projects.~~

~~d. Each EVCS space shall count as two required parking spaces for purposes of~~

zoning compliance.

~~e. Each EVCS shall provide unobstructed access to the EVCE and shall contain signage indicating that vehicles parked in the EVCS space shall be connected to the EVCE.~~

E. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces

1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and function service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.

2. Installation:

a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.

b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.

c. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make-Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.

d. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.

3. EVSE Parking:

a. Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE. It shall be unlawful for any person to park or leave standing a vehicle in a space designated for the charging of plug-in electric vehicles unless the vehicle is connected for charging purposes and actively charging.

b. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.

c. Public Parking. Pursuant to N.J.S.A. 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space or any electric vehicle parked and not connected to

the EVSE shall be subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of the Code. Signage indicating the penalties for violations shall comply with Section 5 below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe any applicable time limits for the underlying parking area.

d. Private parking. The use of EVSE shall be monitored by the property owner or their designee.

4. Safety

a. Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 5 below.

b. Where EVSE is installed, adequate site lighting and

landscaping shall be provided in accordance with Edison Township's ordinances and regulations.

c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of twenty-four (24) inches from the face of the curb. Any stand-alone EVSE bollards should be three to four (3-4) feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.

d. EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in e below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.

e. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.

f. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.

g. Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, the owners/designee of publicly-accessible EVSE shall be required to provide to the Township of Edison information

on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.

5. **Signs**

a. Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, permitting only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.

b. All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.

c. Wayfinding or directional signs, if necessary, shall be permitted at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with b above.

d. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:

1. Hours of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;

2. Usage fees and parking fees, if applicable; and

3. Contact information (telephone numbers) for reporting when the equipment is not operating or other problems.

6. Usage Fees

a. For publicly-accessible municipal EVSE: In addition to any parking fees, a usage fee to use parking spaces within the municipality identified as EVSE spaces shall be zero (\$0) dollars for each hour that the electric vehicle is connected to the EVSE.

b. This fee may be amended by a resolution adopted by the governing body.

c. Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

f. ~~One of the first two EVCS shall be an accessible space designed to meet the requirements for accessible parking spaces, but shall not be restricted to handicapped drivers.~~

~~4. Each electric vehicle charging station space shall be not less than 9 feet wide or 18 feet in length. Where feasible, a vehicle charging station should comply with ADA standards.~~

~~5. Public electric vehicle charging stations are reserved for parking and charging electric vehicles only. It shall be unlawful for any person to park or leave standing a vehicle in a space designated for the charging of plug-in electric vehicles unless the vehicle is connected for charging purposes and actively charging. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that would apply to any other vehicle that would park in that space.~~

~~6. Charging station outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a retraction device and/or a place to hang permanent cords and connectors a sufficient and safe distance above the ground or pavement surface. Equipment mounted on pedestals, lighting posts, or other devices shall be designated and located~~

~~so as not to impede pedestrian travel or create trip hazards.~~

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.

SECITON 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.