

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
THURSDAY, APRIL 25, 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, The Sentinel and Desi Talk on December 12, 2023 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **COUNCIL PRESIDENT’S REMARKS**
5. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**
 - O.2213-2024** **AN ORDINANCE AMENDING CHAPTER 37, “ZONING,”
BY AMENDING THE FOLLOWING SUBSECTIONS: §37-
62, SIGN REGULATIONS TO ADD LANGUAGE
PERTAINING TO OFF-PREMISE / BILLBOARD
GUIDELINES
(Tabled until May 8, 2024)**
 - O.2215-2024** **ORDINANCE AMENDING CHAPTER 17, “HOUSING” BY
AMENDING SECTION 17-2 “MULTIPLE DWELLING
REGISTRATION”.**
6. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through April 17, 2024 (Resolution R.201-042024)
 - b. Resolution authorizing refund in the amount of \$103,618.28 for redemption of tax sale certificates. (Resolution R.202-042024)
 - c. Resolution authorizing refund for Tax overpayments, totaling \$6,249.91 (Resolution R.203-042024)
 - d. Resolution authorizing Cancellation and refund of Taxes for Exempted disabled Veteran (Resolution R.204-042024)
 - e. Temporary Budget Appropriations (Resolution R.205-042024)
 - f. Ordinance Amends the Edison Township Code to Establish Rates the Township Charges Users of the Township’s Water System (Ordinance O.2217-2024)
 - g. 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 (Ordinance O.2218-2024)

- h. Temporary Budget Appropriation – Sanitation (Resolution R.224-042024)
7. **FROM THE DEPARTMENT OF HEALTH:**
- a. Resolution authorizing the Township of Edison to execute a Grant Agreement with the Middlesex County Department of Community Services for the Middlesex County Empowering Seniors Fall Prevention Network Check for Home Safety Initiative. (Resolution R.206-042024)
 - b. Resolution to refund 2023 Junior Police academy cancelation (Resolution R.207-042024)
8. **FROM THE DEPARTMENT OF LAW:**
- a. Resolution of the Township of Edison Authorizing the Sale of Certain Real Property Located At 3-A Clinton Avenue (Block 491.01 Lot 30) and 5-A Clinton Avenue (Block 491.01 Lot 33) to Urszula Malinowski, Contiguous Property Owner (Resolution R.221-042024)
9. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Resolution refunding a Senior Resident Permit fee. (Resolution R.208-042024)
 - b. Resolutions refunding Zoning Permit Fees (2) (Resolution R.217-042024 and R.218-042024)
10. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Resolution to release Street Opening Escrow (Resolution R.209-042024)
 - b. Resolution to Award Co-op for various Plumbing Services to Magic Touch Construction (\$50,000.00) (Resolution R.210-042024)
11. **FROM THE DEPARTMENT OF WATER AND SEWER:**
- a. Resolution awarding Contract for Public Bid # 23-30-12 Millbrook Fords Pump Station Improvements to Coppola Services, Inc. (\$4,172,890.00) (Resolution R.211-042024)
 - b. Resolution Authorizing Edison Township To Procure Water Meters Through The North Jersey Wastewater Cooperative Pricing System For Edison's Water Meter Replacement Project (Resolution R.222-042024)
12. **FROM THE DEPARTMENT OF RECREATION:**
- a. Resolution awarding reimbursement to Various Volleyball Teams for ending the season in Good Standings (Resolution R.212-042024)
13. **FROM THE CHIEF OF POLICE:**
- a. Resolution authorizing the Grant application for "FY24 Click or Ticket Mobilization" (\$7,000.00) (Resolution R.213-042024)
 - b. Resolution authorizing the Grant application for "FY25 State Pedestrian Safety Enforcement & Education Fund" (\$14,500.00) (Resolution R.214-042024)
 - c. Resolution authorizing the Grant application for "FY25 Highway Safety Grant" (\$24,500.00) (Resolution R.215-042024)

- d. Resolution permitting the use of the Township of Edison’s Procurement Card for expenses for prisoner transport to and from Florida.R.216-042024)
- e. Resolution Awarding Contract/Purchase Order(S) to Various Vendors for the Furnishing of Law Enforcement Equipment and Supplies for the Division of Police (\$350,000.00) (Resolution R.223-042024)

14. **FROM THE TOWNSHIP CLERK:**

- a. Resolution waiving a Permit fee for St. James Episcopal Church (Resolution R.219-042024)
- b. Resolution waiving a Permit fee and refunding the fee to St. Paul’s Evangelical Lutheran Church (Resolution R.220-042024)

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

**O.2213-2024 AN ORDINANCE AMENDING CHAPTER 37, “ZONING,”
BY AMENDING THE FOLLOWING SUBSECTIONS: §37-
62, SIGN REGULATIONS TO ADD LANGUAGE
PERTAINING TO OFF-PREMISE / BILLBOARD
GUIDELINES**

**O.2215-2024 ORDINANCE AMENDING CHAPTER 17, “HOUSING” BY
AMENDING SECTION 17-2 “MULTIPLE DWELLING
REGISTRATION”.**

16. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR
WEDNESDAY, MAY 8, 2024.**

**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.**

17. **PUBLIC COMMENT ON THE RESOLUTIONS**

18. **PROPOSED RESOLUTIONS**

Copies of these Resolutions are available for review only and are posted in the Council Chambers. Anyone desiring a copy may contact the Township Clerk after the meeting.

Consent Agenda

- R.201-042024 Report of Disbursements through April 17, 2024
- R.202-042024 Resolution authorizing refund in the amount of \$103,618.28 for redemption of tax sale certificates.
- R.203-042024 Resolution authorizing refund for Tax overpayments, totaling \$6,249.91.
- R.204-042024 Resolution authorizing Cancellation and refund of Taxes for Exempted disabled Veteran.
- R.205-042024 Temporary Budget Appropriations
- R.206-042024 Resolution authorizing the Township of Edison to execute a Grant Agreement with the Middlesex County Department of Community Services for the Middlesex County Empowering Seniors Fall Prevention Network Check for Home Safety Initiative.
- R.207-042024 Resolution to refund 2023 Junior Police Academy to Vishal Doshi in the amount of \$100.00.
- R.208-042024 Resolution provides for Senior Resident refund to W. Danley Electrical Contracting, LLC for Permit 2023-1670, 24 Celler Road, in the amount of \$425.00.
- R.209-042024 Resolution to release Street Opening Escrow for Permit #DEV-23-0687, Langstaff Avenue ROW, aka block 113, Lot 52.02 in the amount of \$200.00.
- R.210-042024 Resolution to Award Co-op for various Plumbing Services to Magic Touch Construction in an amount not to exceed \$50,000.00.
- R.211-042024 Resolution awarding Contract for Public Bid # 23-30-12 Millbrook Fords Pump Station Improvements to Coppola Services, Inc. in the amount of \$4,172,890.00.
- R.212-042024 Resolution awarding reimbursement to Various Volleyball Teams for ending the season in Good Standings.
- R.213-042024 Resolution authorizing the Grant application for “FY24 Click or Ticket Mobilization” (\$7,000.00).
- R.214-042024 Resolution authorizing the Grant application for “FY25 State Pedestrian Safety Enforcement & Education Fund” (\$14,500.00).
- R.215-042024 Resolution authorizing the Grant application for “FY25 Highway Safety Grant” (\$24,500.00).
- R.216-042024 Resolution permitting the use of the Township of Edison’s Procurement Card for expenses for prisoner transport to and from Florida.
- R.217-042024 Resolution refunding of Permit fee ZP-23-00228 Senior Resident for 24 Celler Road in the amount of \$100.00.
- R.218-042024 Resolution refunding of Zoning Permit ZP-23-00699, in the amount of \$300.00 which was pay twice.
- R.219-042024 Resolution waiving a Permit fee for St. James Episcopal Church for sewer line.

R.220-042024 Resolution waiving a Permit fee and refunding the fee to St. Paul's Evangelical Lutheran Church for Food Pantry.

R.221-042024 Resolution of the Township of Edison authorizing the sale of certain real property located at 3-A Clinton Avenue (Block 491.01 Lot 30) and 5-A Clinton Avenue (Block 491.01 Lot 33) to Urszula Malinowski, Contiguous Property Owner.

R.222-042024 Resolution Authorizing Edison Township To Procure Water Meters Through The North Jersey Wastewater Cooperative Pricing System For Edison's Water Meter Replacement Project.

R.223-042024 Resolution Awarding Contract/Purchase Order(S) to Various Vendors for the furnishing of Law Enforcement Equipment and Supplies for the Division of Police in an amount not to exceed \$350,000.00.

R.224-042024 Temporary Budget Appropriations – Sanitation

19. **ORAL PETITIONS AND REMARKS:**

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

21. **REPORTS FROM ALL COUNCIL COMMITTEES:**

22. **POINTS OF LIGHT:**

23. **DISCUSSION ITEMS:**

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. None

Councilmember Patil

- a. None

Councilmember Poyner

- a. None

Councilmember Shmuel

- a. None

Councilmember Brescher

- a. Graffiti removed
- b. May street
- c. Sprinkler fire safety - Town buildings
- d. Amazon contact
- e. Youth sports funding
- f. Flooding areas - update from engineers
- g. Lawyer conflict
- h. Safety Notification

Council President Patel

- a. Transit Village near Edison Train Station
- b. Bike Path under Powerlines (Papaianni Park)
- c. Update on Website
- d. Update on Economic Developer

24. **ADJOURNMENT**

ORDINANCE NO. O.2213-2024

AN ORDINANCE AMENDING CHAPTER 37, “ZONING,” BY AMENDING THE FOLLOWING SUBSECTIONS: §37-62, SIGN REGULATIONS TO ADD LANGUAGE PERTAINING TO OFF-PREMISE / BILLBOARD GUIDELINES

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

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

WHEREAS, the Township recognizes the unique impact of off-premise advertising on public safety, visual aesthetics, and quality of life and the Township has a significant government interest in establishing zoning guidelines which promote public safety, visual aesthetics and general welfare of the municipality and residents of the municipality; and

WHEREAS, the Township desires to amend the following subsections of Chapter 37, “Zoning,” to update definitions and separate off-premise signs as its own subsection:

- §37-62.3, Definitions
- §37-62.11, Signs in R-I, L-I, ROL and E-I Districts

WHEREAS, the Township desires to add the following subsections to Chapter 37, “Zoning,” to add certain guidelines pertaining to the use and construction of off-premise signs and billboards:

- §37-62.12, Off-Premise Signs & Billboard Regulations

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

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

Deletions are noted by ~~strikethrough~~

Additions are indicated by **bold underline**

Language that remains unchanged is not highlighted in anyway.

SECTION I

§ 37-62.3 Definitions.

[no change to definitions from Abandoned Sign through Awning Sign...]

BILLBOARDS

See ~~outdoor display structures~~ **off-premise signs.**

[no change to definitions from Changeable Sign to Nameplate Sign...]

NITS

A measurement of the brightness of light. One nit is equal to one candela (one candlepower) per square meter (1cd/m²).

[no change to definitions from Nonconforming Sign to Open House Sign...]

~~OUTDOOR DISPLAY STRUCTURES~~ OFF-PREMISE SIGNS AND BILLBOARDS

Means a sign which directs attention to a business, industry, profession, commodity, service or entertainment not necessarily sold or offered upon the premises where the sign is located.

Billboards shall be freestanding in nature.

[no change to definitions from Parapet through Wall Sign...]

SECTION II

§37-62.7 Prohibited Signs

The following signs are prohibited:

[no change to sections a – c]

d. Except as provided for in subsection ~~37-62.11~~ **37-62.12 “Off Premise Signs & Billboard Regulations”**, freestanding or billboard signs advertising a product or service not sold on the premises, freestanding or billboard signs advertising or directing attention to another premises, and any sign unrelated to the premises on which the sign is erected.

SECTION III

§ 37-62.11 Signs in R-I, L-I, ROL and E-I Districts.

a. Attached signs: the same regulations as specified for commercial districts.

b. Freestanding signs shall be permitted as follows:

1. No freestanding sign shall exceed fifteen (15) feet in height; the maximum width of any one (1) side of the sign shall not exceed twenty (20) feet and the total square footage of any such sign shall not exceed two hundred (200) square feet in area or one (1) square foot for each five (5) feet of street frontage, whichever is less. The total area of all signs on the subject

property shall not exceed five hundred (500) square feet in area in the aggregate, and the signs shall not be closer to one another than one thousand six hundred (1,600) feet.

2. Such signs shall be set back at least fifteen (15) feet from the street line and no such sign shall encroach upon the required side yard or rear yard setback.

3.—~~Freestanding Signs in LI Zone.~~

~~(a) Freestanding or billboard signs advertising products or services not sold on the premises, freestanding or billboard signs advertising or directing your attention to another premises, and any other sign unrelated to the premises on which the sign is erected, shall only be permitted in the LI zone. No such sign shall exceed fifteen (15) feet in height; such signs shall be only one-sided; and such signs shall not exceed two hundred fifty (250) square feet in area, and no sign permitted by this subsection shall be erected within two thousand five hundred (2,500) feet of any other sign permitted in this subsection;~~

~~(b) No signs permitted by paragraph b1 shall encroach upon the required front yard, rear yard or side yard setbacks.~~

SECTION IV

§ 37-62.12 OFF-PREMISE SIGNS & BILLBOARD REGULATIONS

a. **Intent and Purpose.** It is the intent of these provisions to provide specific zoning conditions and standards for free-standing off-premise signs, referred to as “Billboards”, within the Township of Edison. This section aims to balance constitutionally protected free speech while recognizing the need to safeguard the public good and preserve the intent and purposes of the Township Zone Plan.

b. **Applicability:** A sign shall be considered an off-premise sign used for the purpose of the business of outdoor advertising in the following circumstances:

1. **If the property owner or sign owner receives compensation for the use of the sign. However, if the payment of compensation for the use of the sign is a condition of a bona fide and principal use of the property and the compensation is paid by the entity whose use or activity is displayed on the sign, the sign shall be considered an on-premise sign; or**

2. **If a sign consists principally of brand name or trade name advertising and the product or service advertised is only incidental to the principal activity, conducted on the premises where the sign is displayed**

c. **Zones Permitted.** Billboards shall be permitted in the following locations:

a. **L-I (Light Industrial) Zone**

d. **Sign Type:** All signs must be freestanding signs in nature and may not be attached to the external wall or otherwise affixed to any part of any building.

- e. Sign Size: Off-premises signs are subject to the following size restrictions according to the posted speed limit of the road that the off-premises sign faces.

	<u>Posted Speed Limit (Miles Per Hour)</u>				
	<u>< 36</u>	<u>36 – 45</u>	<u>45 – 55</u>	<u>56 – 65</u>	<u>Limited Access</u>
<u>Maximum Sign Height (ft.)</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>
<u>Maximum Sign Width (ft.)</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
<u>Maximum Sign Area (sq. ft.)</u>	<u>60</u>	<u>100</u>	<u>150</u>	<u>200</u>	<u>300</u>

- f. Height and Clearance of Sign.

1. Sign Height from Grade: Maximum forty (40) feet from grade.

- a. Sign height shall be measured as the distance from the highest portion of the sign (including any sign copy) to the mean finished grade of the street closest to the sign. In the case of a sign located greater than one hundred (100) feet from a public street, height shall be measured to the mean grade at the base of the sign.

2. Sign Clearance from Grade: The lowest edge of an off-premise sign shall be at least eight (8) feet above the finished grade.

- a. Sign clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between the finished grade and the lowest point of the sign, including any framework or other structural elements

- g. Buffers & Spacing: Off-premises signs and billboards will be subject to the following guidelines:

1. Right of Way: The set back from any right of way shall be either the distance equal to the height of the sign or fifteen (15) feet, whichever is greater. No sign shall be placed further than one hundred and fifty (150) feet from the nearest right-of-way line of any interstate, state, county or local road.

2. Setbacks: No signs permitted shall encroach upon the required front yard, rear yard or side yard setbacks.

3. Property Line: Distance shall be measured to the nearest edge of the off-premise sign area, including any copy extensions. No billboard shall be located closer than twenty-five (25) feet from any property line.

4. Buffers: The following buffers shall apply:

- a. Proximity to Building, Structure or On-Premise Sign: Located no closer than fifty (50) feet from any building, structure, or on-premises sign located on the same property.

- b. Proximity to Another Off-Premises Sign: Located no closer than two thousand five hundred (2,500) feet from another off-premises sign on either side of the road measured linearly.
 - c. Proximity to Intersection / Interchange: Pursuant to N.J.A.C. 16:41C-8.1, no sign shall be located within five hundred (500) feet from any intersection, interchange, or safety rest area.
 - d. District & Property Buffers: An off-premise sign shall be no closer than five hundred (500) feet to any of the following uses or zones;
 - i. Public Park or Playground
 - ii. Religious Institution
 - iii. Cemetery
 - iv. School
 - v. Residential District.
 - e. Not located on sewer rights-of-way, or water, electric, or petroleum pipelines.
 - f. Not located on a bridge.
- h. Signs Per Lot:
- 1. Total Number: There shall be no more than one (1) off-premise sign per lot.
 - 2. Combined Area: The total area of all signs on the subject property shall not exceed four hundred (400) square feet in area in the aggregate.
- i. General Guidelines
- 1. Copy Extension: Copy extension beyond the basic billboard sign are permitted provided they do not exceed four (4) feet above and two (2) feet on either side of the regular display area. Copy extension shall be considered part of the overall square footage of a billboard.
 - 2. Stacked Signs: Vertically or horizontally stacked signs shall not be permitted.
 - 3. Sign Faces: Signs may be double sided. Only one (1) side shall be considered when determining the sign area, provided that;
 - a. the faces are equal in size
 - b. the interior angle formed by the faces is less than forty-five (45) degrees, and
 - c. the two faces are not more than five (5) feet apart.
 - d. Where the faces are not equal in size, the larger sign face shall be used as

the basis for calculating sign area.

- e. When the interior angle formed by the faces is greater than 45 degrees, or the faces are greater than five (5) feet apart, all sides of such sign shall be considered in calculating the sign area.

4. Sign Direction & Horizontal Angle:

- a. Sign Direction: All signs shall be designed so that the display is visible only from a state highway or interstate highway. Off-premise signs shall not face local roadways or residential properties.
- b. Horizontal Angle: A sign having two identical or different signs back-to-back or a V-shaped sign with a horizontal angle not greater than 45°.

5. Rear Face of Sign: The rear face of a single-face, off-premises advertising sign shall be painted and maintained with a single neutral color as approved by Township of Edison.

j. Prohibited Features

1. Content: Off-premises signs shall not display any message or graphic of an obscene or pornographic nature as determined by Township of Edison.
2. Sign / Advertisement Per Face: Any sign classified in this subsection shall be limited to one sign or advertisement per face.
3. Electronic Changeable Copy or Imagery: No billboard or portion thereof shall have any electronic, digital, or other animated characteristics resulting in an automatically changing depiction.
4. Electronic Imagery: No sign shall give the illusion of movement, display video or other changing imagery, automatically change, or be animated, flashing, scrolling or blinking.
5. The message and/or graphic content displayed on the billboard shall not be changed more than once per day.
6. Message Sequencing: Message sequencing is prohibited.
7. Moving Vehicles: Off-premise advertising signs shall not be permitted on moving vehicles.
8. Interactive: Interactive signs shall not be permitted. Electronic or animated signs that react to the behavior or electronic signals of motor vehicle drivers are prohibited.
9. Additional Restrictions: No off-premise sign or portion thereof shall rotate, move, produce noise or smoke, steam, visible vapors or particles.

k. Construction and Maintenance.

1. Certification by Engineer: All plans for off-premises signs shall be certified by a licensed engineer registered in New Jersey.
2. Construction: All off-premises advertising signs shall be structurally sound and maintained in good condition and in compliance with the New Jersey Uniform Construction Code.
3. Annual Inspection: On a three (3) year basis, the owner of the billboard shall have a structural inspection made of the billboard by a licensed engineer registered in New Jersey and shall provide to the Township of Edison a certificate certifying that the billboard is structurally sound.

l. Identification of Sign Owner: All off-premises signs shall be identified on the structure with the name, address, and phone number of the owner of such Sign.

m. Landscaping.

1. Landscaping shall be provided at the base of all off-premises signs. Trees and shrubbery, including evergreen and flowering trees, of sufficient size and quantity, to the satisfaction of the applicable board and that board's professionals.
2. Trees: Replacements shall be made in accordance with the Township of Edison tree replacement guidelines.

n. Application/Plan Requirements. Plans submitted for off-premises advertising signs shall show the following:

1. Any and all information as stated in section 37-62.8 "Administration and Filing Procedure."
2. A light study must be conducted and submitted in addition to the required information under 37-62.8.
3. The location and species of existing trees.
4. The distances to the nearest right-of-way, property line, building, structure, on-premises sign, off-premises sign, intersection, interchange, residential district, or institutional use, sewer rights-of-way, and water, electric or petroleum pipelines.
5. Site plan containing all of the applicable requirements set forth in the Township of Edison zoning code, as amended.
6. Certification under the seal by a licensed engineer that the off-premises sign, as proposed, is designed in accordance with all federal, state, and local laws, codes, and professional standards.

o. Illumination and Changeable Copy of Off-premises Signs.

1. Off-premises signs may incorporate manual changeable copy signs.
2. The following illumination types shall be permitted subject to any other lighting guidelines established in the zoning code:
 - a. External illumination
 - i. External illumination lighting must be provided by a steady, stationary light source that is shielded and directed solely at the sign. The light source must be static in color.
 - b. Internal illumination
 - i. Internal illumination lighting must be provided by non-glaring lights or may be illuminated by shielded floodlights.
 - c. No sign shall be illuminated by means of intermittent, flashing or blinking lights.
 - d. External Light Sources
 - i. All light sources shall be designed, shielded, arranged, and installed to confine or direct all illumination to the surface of the off-premises sign and away from adjoining properties.
 - ii. Light sources shall not be visible from any street or adjoining properties.
 - iii. Light sources shall be shielded from view of all vehicular traffic and shall be arranged so that there exists no glare to any vehicular traffic.
 - iv. Light sources shall only be permitted to be arranged on the base margin of any billboard display area.
 - e. Digital
 - i. Digital Display Cone Angle: The maximum cone angle allowed for digital displays shall be thirty (30) degrees, measured from the centerline of the structure.
 - f. Brightness Guidelines: Sign brightness shall not exceed two-tenths (0.2) foot candles over ambient light.
 - i. During daylight hours between sunrise and sunset, luminance shall be no greater than five thousand (5,000) nits.
 - ii. At all other times, luminance shall be no greater than two hundred fifty (250) nits.

- iii. Each sign must have a light sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change. to comply with the limits set here within. Brightness adjustments must be in effect from 30 minutes after sunset to 30 minutes before sunrise.

- g. Time Guidelines: Off-premises message boards and signs located on a lot within five hundred (500ft.) feet of a residential zone district, and visible from such residential zone district, shall not be illuminated between the hours of 11:00 pm and 7:00 am unless the use to which the sign pertains is open for business during those hours or at the request of the Township in the event of emergency announcement communication needs.

- h. Safety. In applying for special exception relief, the applicant bears the burden of proof to establish that the proposed off-premises sign will not create a public health or safety hazard in the location that it is proposed and in the manner by which it is to be operated.

- i. In addition to all of the above conditions, all billboards shall meet all of the requirements as set forth pursuant to the following additional guidelines. In the event any other applicable regulation is in conflict with the provisions of this Section, the more strict regulation shall apply:
 - 1. NJAC Title 16, Chapter 41C, Subchapter 1.1 through 11.3, as may be amended from time to time;
 - 2. NJSA Title 27, Section 5-5 et seq, as may be amended from time to time;
 - 3. Any other Township of Edison zoning regulations, county, state and/or federal laws and applicable regulations related to the construction of structures and/or billboards;

- j. All billboards shall be required to have the capability to override the displayed message in order to permit the posting of emergency messages by the Township. The owners of the billboard shall in no way be held liable for any injury suffered by the Township or any other person during an emergency if for any reason the Township is unable to make full use of the

billboard as contemplated herein. Changing of the displayed message in this manner shall not violate any other section of this chapter.

SECTION V

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

SECTION VI

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

SECTION VII

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

ORDINANCE O.2215-2024

AN ORDINANCE AMENDING CHAPTER 17, “HOUSING” BY AMENDING SECTION 17-2 “MULTIPLE DWELLING REGISTRATION”

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 17, “Housing” of the Township of Code of General Ordinances (hereinafter referred to as the “Code”) provides definitions, rules, regulations, and standards for renting property within the Township; and

WHEREAS, the Township wishes to amend Chapter 17, “Housing,” to amend section 17-2 “Multiple Dwelling Registration” to ensure that residential rental units are properly maintained in accordance with the Property Maintenance, Zoning and related codes, as well as to protect the property and the health, safety and welfare of Township residents and tenants; and

WHEREAS, the creation of standards necessary for the registration and licensing of certain rental units within the Township will contribute to the public good.

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 17 of the Township of Edison Municipal Code, entitled “Housing,” be amended as follows:

Deletions are noted by ~~strikethrough~~

Additions are indicated by **bold underline**

Language that remains unchanged is not highlighted in anyway.

[the following subsection shall be inserted as §17-3 “Rental Registration Fees”]

SECTION I

§ 17-2. ~~MULTIPLE DWELLING REGISTRATION~~**RESIDENTIAL RENTAL UNITS.**

§ 17-2.1. Construction of Provisions.

This section, being necessary for the welfare of the Township and its inhabitants, shall be liberally construed to effectuate the general intended purposes.

§ 17-2.2. Definitions.

As used in this section **the following words or phrases when used in this subsection shall have the following meaning:**

AGENT

The individual or individuals designated by the Landlord as the person(s) authorized by the owner to perform any duty imposed upon the owner by this article.

LANDLORD

Means the person or persons who own or purport to own any ~~multiple dwelling~~ **residential rental** unit as defined herein.

LICENSE

The license issued by the Township Clerk or designee attesting that the rental unit has been properly registered in accordance with this article.

LICENSEE

The person to whom the license is issued pursuant to this article. The term "licensee" includes within its definition the term "agent" where applicable.

MULTIPLE DWELLING

~~Includes any building or structure or trailer or land used as a trailer park, rented or offered for rent to one (1) or more tenants or family units. Excluded from this definition and from the operation of this section are motels, hotels and similar type buildings and those buildings in which one third (1/3) or more of the occupied space is devoted to commercial purposes and housing units are less than three (3) units.~~

OCCUPANT

Means any person (including an owner or operator) over one (1) year of age living and sleeping in a dwelling unit or rooming unit.

OWNER

Any person or group of persons, firm, corporation, or officer thereof, partnership association, or trust, who owns, operates, exercises control over or is in charge of a rental facility.

RENTAL FACILITY

Every building, group of buildings or a portion thereof, containing five (5) or more rental units, which is kept, used, maintained, advertised or held out to be a place where living accommodations are supplied, whether furnished or unfurnished, for pay or other consideration, to one or more individuals and is meant to include apartments and apartment complexes.

RENTAL UNIT

Any dwelling unit, including single-family homes and owner-occupied two-family homes, which is available for lease or rental purposes and is meant to include individual apartments located within apartment complexes, but shall not include rental facilities containing less than five (5) units, group homes, subsidized senior citizen housing, and assisted living units. Excluded from this definition and from the operation of this section are motels, hotels, boarding houses, and similar-type buildings and those buildings in which one-third (1/3) or more of the occupied space is devoted to commercial purposes and housing units are less than three (3) units.

SENIOR CITIZENS

Means persons sixty-two (62) years of age or older.

§ 17-2.3. ~~Registration Statement~~ Annual Registration Required

Every landlord within the Township shall, by January 15 of each and every year, file under oath with the Municipal Clerk of the Township and the Secretary to the Rent Control Board of the Township a statement for each rental unit which shall include ~~containing~~ the following information, on forms provided by the municipality and available at the Township Clerk's office:

- a. The address of the premises; the name ~~and address,~~ and phone number of the owner of the premises and the record owner or owners of the rental business if not the same persons; in the case of a partnership, the names, addresses, and phone numbers of all general partners; if the record owner is a corporation, the name address and telephone number of the registered agent and corporate officers of said corporation; the name, ~~and address~~ and telephone number of the superintendent and/or the name, ~~and address~~ and telephone number of the agent in charge of the premises; the number of ~~apartments~~ rental units in the premises; the number of square feet in the entire premises, building or combination of buildings;
- b. The number or other designation of each ~~apartment~~ rental unit;
- c. The total square footage for each ~~apartment~~ rental unit, including a specification as to the exact number of sleeping rooms and kitchen facilities contained in the rental unit;
- d. The current base rent chargeable for each ~~apartment~~ rental unit;
- e. The immediately previous base rent chargeable for each ~~apartment~~ rental unit;
- f. The most current tax surcharge chargeable to each ~~apartment~~ rental unit;
- g. The most current energy surcharge chargeable to each ~~apartment~~ rental unit;

- h. Any capital improvement surcharge chargeable to the ~~apartment~~ **rental unit**;
- i. The effective date of the most recent lease, if any, **including the total number of occupants of each rental unit designated by adults and children**;
- j. If no lease, then the date that the last increase in the base rent became effective;
- k. **If the address of any record owner is not located in the State of New Jersey, the name and address of a person who resides in the State of New Jersey and who is authorized to accept notices from a tenant and to issue receipts therefor and to accept service of process on behalf of the record owner**;
- l. **The name and address of every holder of a recorded mortgage on the premises**;
- m. **An acceptable affidavit of fire alarm system inspection and test for all premises where a common area automatic fire alarm is required and an acceptable affidavit of fire sprinkler system inspection and test for all premises where a fire sprinkler system is required**;
- n. **Such other information as may be required by the Township.**

§ 17-2.4. Records; Availability to Public**Annual registration required.**

~~A copy of the registration statements shall be kept at the office of the Municipal Clerk and shall be available for public inspection and copying during normal business hours.~~ **All rental units shall be registered with the Township Clerk of the Township of Edison, or their designee, or such other person as designated by the Mayor of the Township of Edison pursuant to this section. Upon proper registration and payment of all fees a license shall issue for the rental unit so registered.**

§ 17-2.5. Violations; Penalties**Registration and licensing at change of occupancy; term; initial registration.**

~~Any violation of any of the provisions hereof, including but not limited to material misstatements contained in the registration statement required herein, shall be punishable in the Municipal Court by fines of not more than two hundred (\$200.00) dollars for a first offense and not more than the penalty stated in Chapter I, Section 1-5.~~ **The license term shall commence on March 1 and shall be valid until February 28 of the following calendar year, at which time it shall expire and a new registration shall be required. Any lease which has been executed prior to the adoption of this section shall not be affected, but the rental unit must nevertheless be registered, licensed and inspected in accordance with this article. No rental unit shall hereafter be rented unless the rental unit is registered and licensed in accordance with this chapter.**

§ 17-2.6. Prohibition on occupancy

For rental facilities containing five (5) or more units, no person shall hereafter occupy any rental unit nor shall the owner permit occupancy of any rental unit with the Township of Edison which is not registered and licensed in accordance with this section.

§ 17-2.7. Indexing and filing of forms.

The Township Clerk or designee shall index and file the registration forms. In doing so, the Township Clerk or designee shall follow the mandates of N.J.S.A. 46:8-28.1. and N.J.S.A. 55:13A-12, as amended and supplemented, so that the filing of the registration form will simultaneously satisfy the registration requirements of N.J.S.A. 46:8-28.1 and N.J.S.A. 55:13A-12 to the extent that it applied to the property being registered and will also satisfy the registration requirements of this article.

§ 17-2.8. Filing of amended form.

Every person required to file a registration form pursuant to this article, shall file an amended registration form within 45 days after any change in the information required to be included thereon. No fee shall be required for the filing of an amendment except where the tenancy of the premises is changed.

§ 17-2.9. Records; Availability to Public.

A copy of the registration statements shall be kept at the office of the Municipal Clerk and shall be available for public inspection and copying during normal business hours.

§ 17-2.10. Inspections.

- A. If there are reported issues within a unit or building, then the subject site shall be inspected until the subject site passes inspection without critical or major issues. Appointments for inspections shall be scheduled at reasonable times and upon notice to the owner and tenant. Newly constructed apartments and/or dwelling units in excess of four rental units are exempt from this inspection for two State of New Jersey licensing periods after the certificate of occupancy is issued, provided that there are no violations filed with the Township Building Department and the property is properly registered and inspected with and by the State of New Jersey as required by the Hotel and Multiple Dwelling Code.**
- B. Such inspections shall be performed by such person, persons or agency duly authorized and appointed by the Township of Edison, and inspections made by persons or an agency other than the duly authorized and appointed person, persons or agency of the Township of Edison shall not be used as a valid substitute.**
- C. Such inspection shall be for the purpose of determining Chapter 37 (Zoning) compliance and, to the extent applicable, to determine whether the property complies with Chapter 15 (Property Maintenance) and any other municipal code appropriate for the conditions observed.**

- D. Unsatisfactory inspection. In the event that the inspection(s) of a rental unit does not result in a satisfactory inspection, such property shall not thereafter be registered, nor shall a license issue, and the Landlord of the property or his agent shall not lease or rent such property nor shall any tenant occupy the property until the necessary corrections have been made so as to bring the property and rental unit into compliance with the applicable code and the property is thereafter subsequently inspected, registered and licensed. In the event that the property is occupied when such conditions are discovered, all such corrections shall be made within 60 days, and if not made within that time period, the owner shall be deemed in violation of this article, and every day that the violation continues shall constitute a separate and distinct violation, subject to the penalty provisions of this article.
- E. An inspection made by the Township for a certificate of continued occupancy pursuant to Chapter 14 of the Code of the Township of Edison shall satisfy the requirements of Subsection A of this section.

§ 17-2.11. Inspection officers, identification and conduct.

Inspection officers as designated by the Township of Edison shall be supplied with official identification and shall exhibit such identification when entering any rental facility and rental unit or any part of any premises subject to this section. Inspection officers are authorized and directed to make inspections to determine compliance with this section. For this purpose he or she is authorized to enter and examine any rental unit, yard, or part of either at all reasonable times, and every owner, landlord or agent shall provide him or her free access to it. Inspectors shall conduct themselves so as to avoid intentional embarrassment or inconvenience to occupants.

§ 17-2.12. Refusal of entry for inspection; use of search warrants.

A. Should the inspection officer be denied access, the inspection officer may, upon affidavit, apply to the Judge of the Municipal Court of the Township for a search warrant, setting forth the actual conditions and circumstances that provide a reasonable basis for believing that a nuisance or violation of this article may exist on the premises, including one or more of the following:

(1) Observation of the external condition of the premises and its public areas has resulted in the belief that violations of the municipal code exists.

(2) Circumstances such as age of building, type of building, particular use of premises or other factors make systematic inspections of such building necessary in the interest of public health and safety.

B. If the Judge of the Municipal Court of the Township is satisfied as to the matter set forth in such affidavit, he shall authorize the issuance of a search warrant permitting access to an inspection of that part of the premises on which the nuisance or violation may exist.

C. Where the inspection officer or his agent in possession of an administrative warrant is refused entry or access or is otherwise impeded or prevented by the owner, landlord, agent or occupant from conducting an inspection of the premises, such person shall be in

violation of this section and subject to the penalties hereunder.

§ 17-2.13. License; review; declaration of moratoriums.

For rental facilities containing five (5) or more units, upon the filing of a completed registration form and payment of the prescribed fee, the Landlord shall be entitled to the issuance of a license. A registration form shall be required for each rental unit and a license shall issue to the Landlord for each rental unit, even if more than one rental unit is contained in the property.

§ 17-2.14. Fees

A. At the time of the filing of the registration form and prior to the issuance of a license, the Owner, Agent, or Landlord of the property must pay a fee in accordance with the following:

(1) The annual registration fee for owners, landlords or facilities with five (5) or more rental units shall be one hundred (\$100) dollars per rental unit.

(2) A missed appointment fee of \$25 per missed appointment.

B. If the Owner or Landlord of the property is a senior citizen who resides in a unit of the property and rents out the remaining unit(s) and would otherwise qualify under the State of New Jersey property tax deduction under N.J.S.A. 54:4-8.41, there shall be no fee upon proof of age and residence.

C. If any fee is not paid within 30 days of its due date, a late fee surcharge of \$30 will be assessed.

§ 17-2.15. Providing registration form to occupants and tenants.

Every Owner, Agent or Landlord shall provide each occupant or tenant occupying a rental unit with a copy of the registration form required by this article. This particular provision shall not apply to any hotel, motel or guest house registered with the State of New Jersey pursuant to the Hotel and Multiple Dwelling Act as defined in N.J.S.A. 55:13A-3. A copy of the registration certificate must be posted in the rental unit(s).

§ 17-2.16. Maximum number of occupants; posting.

The maximum number of occupants shall be posted in each rental unit. It shall be unlawful for any person, including the Landlord, agent, tenant or registered tenant to allow a greater number of persons than the posted maximum number of occupants to sleep in or occupy overnight the rental unit.

§ 17-2.17. Payments of taxes and other municipal charges required.

No rental unit may be registered or reregistered and no license shall issue for any property containing a rental unit unless all municipal taxes and sewer charges and any other municipal assessments are paid current.

§ 17-2.18. Other rental unit standards.

All dwelling units shall be maintained in accordance with the Uniform Construction Code and Chapter 15, the Property Maintenance Code, of the Township of Edison Municipal Code

§ 17-2.19. Occupant standards.

- A. **Compliance with other laws. The maintenance of all rental facilities and the conduct engaged in upon the premises by occupants and their guests shall at all times be in full compliance with all applicable ordinances and regulations of the Township of Edison and with all applicable state and federal laws.**
- B. **Penalties. Any landlord, tenant or other person violating the provisions of this section shall be subject to the penalty provisions of this article.**

§ 17-2.20 Violations; Penalties.

Any Owner, Agent, Landlord or Tenant who violates any of the provisions of this section hereof, including but not limited to material misstatements contained in the registration statement required herein, shall be liable in the Municipal Court for a fine of two hundred (\$200) dollars for a first offense, five hundred (\$500) dollars for a second offense and not more than the penalty stated in Chapter I, Section 1-5 for any subsequent offense. Each day that a violation occurs shall be deemed a separate and distinct violation and subject to the penalty provisions of this section.

SECTION II

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

SECTION III

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

SECTION IV

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

ORDINANCE O.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:

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

	<u>[2020*]</u>	<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.

RESOLUTION R.201-042024

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING APRIL 17, 2024.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, April 17, 2024.

FUND	AMOUNT
Current	\$28,347,677.42
Affordable Housing	5,325.00
Capital	3,306,923.24
Cash Performance	358,376.46
CDBG	18,363.76
Developers Escrow	51,190.00
Dog (Animal Control)	15,723.13
Federal Forfeited	17,421.01
Employee Tax	0.00
Grant Funds	4,344.15
Law Enforcement	28,411.34
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	0.00
Sanitation Fund	238,806.78
Self-Insurance	0.00
Sewer Utility	1,506,295.05
Street Opening	0.00
Tax Sale Redemption	123,486.15
Tree Fund	0.00
Tree Planting	0.00
Trust	568,016.56
Edison Water Utility	940,414.56
Edison Landfill Closure Trust	0.00
TOTAL	\$35,530,774.61

/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 R.202-042024

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 **\$103,618.28**.

RESOLUTION R.203-042024

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 **\$6,249.91**.

RESOLUTION R.204-042024

Authorizing Cancellation and Refund of Taxes for Exempted Disabled Veteran

WHEREAS, pursuant to N.J.S.A. 54:4-3.30, the dwelling of a disabled veteran shall be exempt from real property taxes; and

WHEREAS, Attached listing includes veterans who have been determined to have suffered a 100% service-related disability, with the determination of said disability being retroactive to the indicated effective date; and their respective owned properties, identified with their block, lot and qualifier, were already billed for indicated tax year; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.32, the governing body of a municipality may cancel by resolution taxes due on a property which would have been exempt had the claim been made at the time they were due; and

WHEREAS, as permitted by N.J.S.A. 54:4-3.32, Township Code Section 5-7(d) also authorizes the return of property taxes for the current year and prior year but not greater than for a twenty-four (24) month period in the aggregate, or, should the Veteran's Administration determine that a veteran's disability date is greater than twenty-four (24) months from the date the applicant submits his/her application with the Tax Assessor's office, the Township will only be obligated to return taxes for a period of no greater than twenty-four (24) months from receipt of a completed application to the Tax Assessor; and

WHEREAS, pursuant to Township Code Section 5-7(d) the listed applicants are also due a refund of property taxes paid from the effective date of the determination; and the Tax Collector has reviewed the applications, approvals and taxes paid and recommends that the listed applicants are entitled to receive refund of paid taxes in the amount indicated on the attached list.

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 Township Council of the Township of Edison that property taxes due and assessed as specified on the attached list be cancelled for the indicated quarters, tax years and amounts, and also refunded for the municipal property taxes already paid from the effective date; and

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 disabled parties for the taxes already paid during the applicable exemption periods set forth and for the amount specified in the attached list totaling **\$7,614.98**.

April 25, 2024

RESOLUTION R.205-042024

Authorizing Temporary Emergency Appropriations for 2024 Municipal Budget

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

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

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

WHEREAS, it is the recommendation of the Chief Financial Officer that this emergency temporary appropriation, in accordance with the amounts listed further below, be authorized for total amounts of: **\$29,949,661.91** for Current Fund,
 \$2,037,090.33 for Water
 \$1,865,855.39 for Sewer; and

WHEREAS, this appropriation brings the **2024** year to date temporary appropriation for Current Fund to **\$107,193,062.27**, for Water Utility to **\$7,645,733.65**, and for Sewer Utility to **\$14,275,012.00**.

This brings the temporary appropriations to **57.44%** (current), **49.62%** (Water) and **53.78%** (Sewer) of the **2023** budget.

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

\$29,949,661.91 for Current Fund,
 \$2,037,090.33 for Water
 \$1,865,855.39 for Sewer.

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

FUND	2024-04 BUDGET
CURRENT FUND	EMERGENCY APPROIATION
BUSINESS ADMINISTRATOR Salary	153,078.61
BUSINESS ADMINSTRATOR Other Expenses	32,990.16
PURCHASING Salary	51,619.76

PURCHASING Other Expenses	32,475.66
PURCHASING CENTRAL STORE Other Expenses	15,000.00
COMMUNICATIONS/EDISON TV Salary	53,379.85
COMMUNICATIONS/EDISON TV Other Expenses	29,923.50
PERSONNEL/HR Salary	55,965.47
PERSONNEL/HR Other Expenses	12,439.15
MAYOR Salary	23,497.33
MAYOR Other Expenses	8,081.33
COUNCIL Salary	19,280.00
COUNCIL Other Expenses	21,661.00
MUNICIPAL CLERK Salary	38,519.16
MUNICIPAL CLERK Other Expenses	26,909.83
ETHICS COMMISSION Other Expenses	1,754.16
FINANCE DEPARTMENT Salary	116,479.88
FINANCE DEPARTMENT Other Expenses	16,233.32
AUDIT SERVICES	9,181.33
DATA PROCESSING Salary	35,114.57
DATA PROCESSING Other Expenses	200,000.00
TAX COLLECTION Salary	38,945.05
TAX COLLECTION Other Expenses	4,746.16
TAX ASSESSMENT Salary	60,366.20
TAX ASSESSMENT Other Expenses	28,003.00

LEGAL DEPARTMENT Salary	17,003.50
LEGAL DEPARTMENT Other Expenses	108,400.00
ENGINEERING SERVICES Salary	142,299.77
ENGINEERING SERVICES Other Expenses	63,363.50
PLANNING BOARD Other Expenses	37,225.00
ENVIRONMENTAL COMM Other Expenses	216.66
ZONING BOARD Other Expenses	50,000.00
PLANNING & ZONING DEPT Salary	86,679.63
PLANNING & ZONING Other Expenses	67,666.66
CONSTRUCTION ENFORC AGENCY Salary	295,986.56
CONST ENF AGENCY Other Expenses	41,500.00
RENT CONTROL BOARD Salary	2,500.00
RENT CONTROL BOARD Other Expenses	233.33
GROUP HEALTH INSURANCE	10,000,000.00
UNEMPLOYMENT INSURANCE EXPENSE	35,000.00
INSURANCE & SURETY Expense	250,000.00
LOSAP-Other Expenses	16,666.66
POLICE DEPARTMENT Salary	5,025,051.61
POLICE DEPARTMENT Other Expenses	216,250.00
DISPATCH 911 Salary	353,003.30
DISPATCH 911 Other Expenses	89,559.33

OFFICE OF EMRGNCY MGMT Other Expenses	2,500.00
AID TO VOL FIRE	9,166.66
AID TO VOL FIRST AID	17,500.00
FIRE FIGHTING Salary	3,669,707.27
FIRE FIGHTING Other Expenses	183,195.16
FIRE PREVENTION Salary	72,961.50
FIRE PREVENTION Other Expenses	18,800.00
FIRE HYDRANT CHARGES	291,333.33
STREETS & ROADS Salary	284,681.50
STREETS & ROADS Other Expenses	82,666.66
SOLID WASTE RECYCLING Salary	188,306.16
SOLID WASTE RECYCLING Other Expenses	16,125.00
BUILDINGS & GROUNDS Salary	287,611.33
BUILDINGS & GROUNDS Other Expenses	82,713.83
MUNICIPAL GARAGE Salary	166,025.00
MUNICIPAL GARAGE Other Expenses	27,892.16
POLICE VEHICLES Salary	48,597.78
POLICE VEHICLES Other Expenses	144,833.33
CONDO COMMUNITY COSTS	26,666.66
HEALTH Salary	291,913.16
HEALTH Other Expenses	12,579.17
SENIOR CITIZEN Salary	86,571.16

SENIOR CITIZEN Other Expenses	7,583.33	
ANIMAL SHELTER Salary		318,428.27
RECREATION Salary	318,693.04	
RECREATION Other Expenses	110,314.16	
PARKS & TREES Salary	378,466.83	
PARKS & TREES Other Expenses	75,833.33	
FREE PUBLIC LIBRARY	401,821.96	
ACCUMULATED LEAVE COMPENSATION Expense	33,333.33	
CELEBRATION OF PUBLIC EVENTS EXPENSES	10,400.00	
RESERVE FOR TAX APPEALS Expense	298,333.33	
PUBLIC BUILDINGS HEAT,LIGHT,POWER	70,778.33	
STREET LIGHTING EXPENSE	200,000.00	
PUBLIC BUILDINGS TELEPHONE	31,858.66	
FUEL & LUBRICANTS Other Expenses	210,030.00	
CONTINGENT Expense	8,333.33	
O.A.S.I. (SOCIAL SECURITY)	327,504.38	
Defined Contribution Retirement		6,666.66
NJ State Library – Community Center Digital Connect Grant	3,000,000.00	
MUNICIPAL COURT Salary	106,019.50	
MUNICIPAL COURT Other Expenses	25,000.00	

PUBLIC DEFENDER Salary	13,333.33
PUBLIC DEFENDER Other Expenses	333.33
TOTAL CURRENT FUND	29,949,661.91

WATER UTILITY FUND	2024-04 BUDGET EMERGENCY APPROPRIATION
WATER Operations Salary	261,196.00
WATER Operations Other Expenses	224,375.00
WATER Collections Salary	23,686.00
WATER Collections Other Expenses	7,833.33
WATER Bulk Water Purchase	1,250,000.00
WATER Capital Outlay	250,000.00
WATER Public Emp Retirement Sys (PERS)	
WATER Social Security (OASI)	20,000.00
WATER Bond & Note Principal	
WATER Interest on Bonds & Notes	
TOTAL WATER UTILITY FUND	2,037,090.33

SEWER UTILITY FUND	2024-04 BUDGET EMERGENCY APPROPRIATION
SEWER Operations Salary	360,008.83
SEWER Operations Expenses	529,083.33
SEWER Collections Salary	11,158.33
SEWER Collections Other Expenses	7,833.33
SEWER Sewerage Disposal Charges	25,000.00
SEWER Capital Improvement Projects	833,333.33
SEWER Public Emp Retirement Sys (PERS)	-
SEWER Social Security (OASI)	16,500.00
SEWER Bond & Note Principal	
SEWER Interest of Bonds & Notes	

SEWER OPERATION Defer Charges PY Bills	82,938.24
TOTAL SEWER UTILITY FUND	<u><u>1,865,855.39</u></u>

RESOLUTION R.206-042024

A RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO EXECUTE A GRANT AGREEMENT WITH THE MIDDLESEX COUNTY DEPARTMENT OF COMMUNITY SERVICES FOR THE MIDDLESEX COUNTY EMPOWERING SENIORS FALL PREVENTION NETWORK CHECK FOR HOME SAFETY INITIATIVE

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 applied for a grant with the Middlesex County Department of Community Services to receive funding to support safety interventions in and around the home to promote fall prevention for senior and disabled residents (hereinafter referred to as “Services”); and

WHEREAS, the Middlesex County Department of Community Services has awarded the Township’s Department of Health and Human Services a grant in the amount of \$5,000.00 for the Services; and

WHEREAS, it is in the best interests of the Township’s senior and disabled residents to accept this grant from Middlesex County Department of Community Services.

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 a grant in the amount of \$5,000.00 from the Middlesex County Department of Community Services to support safety interventions in and around the home to promote fall prevention for senior and disabled residents.
2. The Mayor and Municipal Clerk are hereby authorized to execute any and all agreements with the County of Middlesex, including any other applicable exhibits or forms related thereto, in substantially similar form annexed hereto, such changes as shall be approved on the advice of Township Counsel.

RESOLUTION R.207-042024

WHEREAS, Edison Municipal Alliance has processed a payment for the Junior Police Academy program scheduled for the weeks of July 17th, 2023 and August 17th 2023 . Drasti Doshi being too young to attend the Academy in 2023 Mrs. Doshi asked that a credit be used for the 2024 Academy. Mrs. Doshi said they are unable to use the credit as they are traveling this year and decided that she would like a refund.

Therefore, the following individual is entitled to a refund of their registration fee in the amount of \$100.00 from the Edison Municipal Alliance Account, T-01-55-0279-000-000.

Vishal Doshi
7 Amherst Street
Edison, NJ 08820

NOW THEREFORE, be it resolved by the Municipal Council of the Township of Edison that authorization be given to release funds to this individual.

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 a check to the noted party.

RESOLUTION R.208-042024

EXPLANATION: This resolution provides for Senior Resident refund to W. Danley Electrical Contracting LLC, 9 Federal Rd. Monroe, NJ 08831

WHEREAS, on April 24, 2023 a Construction Permit 2023-1670 check #14869 Was posted in the total amount of \$450.00 by W. Danley Electrical Contracting LLC Who paid for permit for senior's Hedy & Louis Smith 24 Celler Rd., Edison NJ 08817

WHEREAS, the application was submitted to replace a generator, the homeowners are Edison Seniors who are eligible for Senior Citizen waiver of Municipal fees on construction permits, per the Edison Municipal Code, Chapter 2-128.3; and

WHEREAS, the Township Construction Official recommends the refund of Of the municipal permit fee, on Construction permit 2023-1670, in the amount of \$450.00, les \$25.00 DCA fee total of refund Edison N.J. 08817 in the amount of \$425.00

BE IT FURTHER REASOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$425.00 from the Refund of Revenue Fund to W. Danley Electrical Company LCC, 9 Federal Rd., Monroe, NJ 08831

RESOLUTION R.209-042024

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 STO0000836, to the following:

Permit Number: DEV-23-0687

Opening Location: LANGSTAFF AVE R.O.W

Block/Lot: 113/52.02

Applicant's Name & Address:

**SEAM DIBARTOLO
400 BROADACRES DR
SUITE 310
BLOOMFIELD, NJ 07003**

Initial Deposit Date: 12/18/2023

Deposit Amount: \$200.00

Paid by & refunded to:

**SEAM DIBARTOLO
400 BROADACRES DR
SUITE 310
BLOOMFIELD, NJ 07003**

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

RESOLUTION R.210-042024

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO MAGIC TOUCH
CONSTRUCTION COMPANY, INC. FOR PLUMBING SERVICES**

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

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

WHEREAS, there is a need for various plumbing services, on a time and material basis, for the Township of Edison; and

WHEREAS, MAGIC TOUCH CONSTRUCTION COMPANY INC., 59 West Front Street, Keyport, NJ 07735 has been awarded ESCNJ 20/21-18 Plumbing Time and Material under NJ State approved coop #65MCECCPS; and

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

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents in the amount not to exceed \$50,000.00, with MAGIC TOUCH CONSTRUCTION COMPANY INC., the approved Educational Services Commission of New Jersey vendor through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq. of the Local Public Contracts Law, and ESCNJ 20/21-18 Plumbing Time and Material through State Co-Op #65MCECCPS.

RESOLUTION R.211-042024

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO COPPOLA SERVICES INC., FOR THE MILLBROOK FORDS PUMP STATION IMPROVEMENTS

WHEREAS, bids were received by the Township of Edison on March 15, 2024 for Public Bid 23-30-12 Millbrook Fords Pump Station Improvements; and

WHEREAS, COPPOLA SERVICES INC., 28 Executive Parkway, Ringwood, NJ 07456, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of this purchase shall not exceed \$4,172,890.00; 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 COPPOLA SERVICES INC., for the Millbrook Fords Pump Station Improvements is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$4,172,890.00 and any other necessary documents, with COPPOLA SERVICES INC., as described herein.
3. 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 **\$4,172,890.00** are available in Account No. **T-08-55-0225-000-002**.

Lina Vallejo
Chief Financial Officer

Date

RESOLUTION R.212-042024

**RESOLUTION AWARDING REIMBURSEMENT TO VARIOUS VOLLEYBALL TEAMS
FOR ENDING THE SEASON IN GOOD STANDING**

WHEREAS, there exists an ordinance for sports teams to pay entrance fees prior to playing in Edison Township's Recreation leagues.

WHEREAS, the ordinance further states that a "Good Standing Refund" in the amount of \$50.00 shall be made payable to each volleyball team finishing the season in good standing with the league, and

WHEREAS, fees in the amount of \$300.00 have been certified to be available in the Township Trust Account, Number T-13-00-00-0000-000-014.

WHEREAS, the below listed adult volleyball teams eligible for a good standing refund are as follows:

<u>VENDOR #</u>	<u>VENDOR/PAYEES NAME</u>	<u>VENDOR/PAYEES MAILING ADDRESS</u>	<u>REASON</u>	<u>AMT.</u>	<u>REQ.</u>
RAJUI005	RAJU INDUKURU	1301 MERRYWOOD DR., EDISON, 08817	GOOD STANDING REFUND	\$50	R4-02577
SUBIN005	SUBIN RAJU	42 MARTHAS DR., FREEHOLD, 07728	GOOD STANDING REFUND	\$50	R4-02576
PANDI005	VELMURUGAN PANDI	31 EDINBURGH CT., EDISON 08820	GOOD STANDING REFUND	\$50	R4-02575
GOPIN005	SUNIL GOPINATHAN	404 COBBLESTONE LN., EDISON, 08820	GOOD STANDING REFUND	\$50	R4-02573
RANGA005	PRABAHARAN RANGASAMY	6808 HANA RD., EDISON, 08817	GOOD STANDING REFUND	\$50	R4-02572
PACHA005	BALAMURUGAN PACHAIAPPAN	1401 MERRYWOOD DR., EDISON, 08817	GOOD STANDING REFUND	\$50	R4-02574

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

CERTIFICATION

I hereby certify that funds in the amount of \$300.00 are available for the above teams in Account No.T-13-00-0000-000-014.

RESOLUTION R.213-042024

FY24 Click It or Ticket Mobilization

GRANT APPLICATION

WHEREAS; the Division of Police wishes to apply for grant funding in the amount of \$7,00.00 as a reimbursement, to use towards salaries and wages for increased patrols on Township roadways; and

WHEREAS; the Edison Division of Police is one of many police departments in New Jersey that is eligible to receive funding from the NJ Division of Highway Traffic and Safety, FY24 Click It or Ticket Mobilization for the period of 05/20/2024-06/02/2024; and

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

NOW, THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares its support for the application for the FY24 Click It or Ticket Mobilization in the amount of \$7,000.00.

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

RESOLUTION R.214-042024

FY25 State Pedestrian Safety Enforcement & Education Fund
GRANT APPLICATION

WHEREAS; the Division of Police wishes to apply for grant funding in the amount of \$14,500.00 as a reimbursement, to use towards salaries and wages for increased patrols on Township roadways and equipment to facilitate that effort; and

WHEREAS; the Edison Division of Police is one of many police departments in New Jersey that is eligible to receive funding from the NJ Division of Highway Traffic and Safety, FY25 State Pedestrian Safety Enforcement & Education Fund for the period of 07/01/2024-06/30/2025; and

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

NOW, THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares its support for the application for the FY25 State Pedestrian Safety Enforcement & Education Fund in the amount of \$14,500.00.

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

RESOLUTION R.215-042024

FY25 Federal Highway Safety Grant
GRANT APPLICATION

WHEREAS; the Division of Police wishes to apply for grant funding in the amount of \$24,500.00 as a reimbursement, to use towards salaries and wages for increased patrols on Township roadways and equipment to facilitate that effort; and

WHEREAS; the Edison Division of Police is one of many police departments in New Jersey that is eligible to receive funding from the NJ Division of Highway Traffic and Safety, FY25 Federal Highway Safety Grant for the period of 10/01/2024-04/30/2025; and

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

NOW, THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares its support for the application for the FY25 Federal Highway Safety Grant in the amount of \$24,500.00.

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

RESOLUTION R.216-042024

**RESOLUTION PERMITTING THE USE OF THE TOWNSHIP OF EDISON'S PROCUREMENT CARD
FOR EXPENSES FOR PRISONER TRANSPORT TO AND FROM FLORIDA**

WHEREAS, N.J.S.A 40A:5-16 permits the use of Procurement Cards (P-cards) by local units for specific circumstances to be used for certain payments, and

WHEREAS, the Township of Edison passed resolution R.642-102022 authorizing the use of a procurement card; and

WHEREAS, the Township procured the card through Bank of America N.A., 750 Walnut Avenue, Cranford, NJ 07016, the state contract vendor for procurement cards under # 84675 / T-1654; and

WHEREAS, in compliance with N.J.S.A. 40A:5-16 and LFN 2018-13, procurement cards cannot be used for travel and room and board expenses unless it involves expenses for matters before the courts, and

WHEREAS, the Police Division needed to procure travel expenses due to the extradition of a prisoner from Florida between April 3 – 4, 2024; and

WHEREAS, the airfare and hotel expenses for this purpose was procured through Edison Township's Procurement card in the total amount of \$1,675.73; and

NOW, THEREFORE IT IS RESOLVED, that the Township of Edison Council does hereby authorize the use of a Procurement Card in accordance with N.J.S.A. 40A:5-16 and N.J.A.C. 5:30-9A for this purpose.

RESOLUTION R.217-042024

WHEREAS, on March 22, 2023 a Zoning Permit # ZP-23-00228, check #14738 was posted in the total amount of \$100 by Walter Danley Electrical Contracting LLC

WHEREAS, the application was submitted to install a Generator. The home owner is an Edison Senior Resident who is eligible for Senior Citizen 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-23-00228, in the amount of \$100

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$100 from the Refund Revenue Fund to Walter Danley Electrical Contracting LLC for the property located at 24 Celler Road.

RESOLUTION R.218-042024

WHEREAS, on June 28, 2023 a Zoning Permit # ZP-23-00699, credit card payment was posted in the total amount of \$300 by JHONS CONSTRUCTION LLC

WHEREAS, the application was submitted to renovate an existing office space. The applicant previously received zoning approval and did not require to pay twice; and

WHEREAS, the Township Zoning Officer recommends the refund of the Municipal permit fee on Zoning Permit # ZP-23-00699, 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 \$100 from the Refund Revenue Fund to JHONS CONSTRUCTION LLC for the property located at 4 Ethel Road Suite 406-B.

RESOLUTION R.219-042024

WHEREAS, St. James Episcopal Church, has requested a waiver of Plumbing Permit and/or application fees concerning the Sewer Line at 2131 Woodbridge Avenue.

WHEREAS, under the building code, St. James Episcopal Church as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

WHEREAS, the Municipal Council of the Township of Edison feels that it would be appropriate to waive any applicable fees;

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive any application fees and/or building fees, except the DCA fee, due to the Township of Edison as a result of the application being submitted by St. James Episcopal Church.

RESOLUTION R.220-042024

WHEREAS, St. Paul's Evangelical Lutheran Church, has requested a waiver of permit and/or application fees concerning the Food Pantry.

WHEREAS, under the building code, St. James Episcopal Church as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

WHEREAS, the Municipal Council of the Township of Edison feels that it would be appropriate to waive any applicable fees;

WHEREAS, St. Paul's Evangelical Lutheran Church, had already paid the fees and request a refund of said fees, except the DCA fee.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive any application fees and/or building fees, except the DCA fee, due to the Township of Edison as a result of the application being submitted by St. Paul's Evangelical Lutheran Church

RESOLUTION R.221-042024

RESOLUTION OF THE TOWNSHIP OF EDISON AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY LOCATED AT 3-A CLINTON AVENUE (BLOCK 491.01 LOT 30) AND 5-A CLINTON AVENUE (BLOCK 491.01 LOT 33) TO URSZULA MALINOWSKI, CONTIGUOUS PROPERTY OWNER

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

WHEREAS, Urszula Malinowski (the “Purchaser”), who resides at 899 Wood Avenue, Edison NJ 08820 and owns the contiguous property located at Block 491.01 Lot 31.01, is desirous of purchasing the Lot 30 and Lot 33; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b)(5) the Township has the power to sell real property by private sale to an owner of the real property contiguous to the real property being sold; provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon;

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b)(5) when there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among such owners; and

WHEREAS, proper notice was provided to the owners of the real property contiguous to the real property being sold, within five (5) days of authorization of the sale by Ordinance O.2208-20024 dated by certified mail on February 29, 2024 and published in the Homes News Tribune on March 6, 2024; and

WHEREAS, the Purchaser was the only owner of the real property contiguous to the real properties being sold to submit bids for the Properties; and

WHEREAS, the Purchaser submitted a qualifying bid for Lot 30 for \$100,000.00 and a qualifying bid for Lot 33 for \$100,000.00; and

WHEREAS, the Township desires to sell the Properties and the Purchaser desires to purchase the Properties; and

WHEREAS, THE Township has determined that it is beneficial and in the public interest to sell the Property to the Purchaser.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWNSHIP OF EDISON MUNICIPAL COUNCIL AS FOLLOWS:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor and Business Administrator are hereby authorized to execute contracts of sale for the Properties in the amount of \$100,000.00 for each Lot, and any other documents required for the sale of the Properties.
3. This Resolution shall take effect immediately.

RESOLUTION R.222-042024

RESOLUTION AUTHORIZING EDISON TOWNSHIP TO PROCURE WATER METERS THROUGH THE NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM FOR EDISON'S WATER METER REPLACEMENT PROJECT

WHEREAS, Edison Township is working on a Water Meter Replacement Project for which Edison Township is applying for funding through the New Jersey Infrastructure Bank; and

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

WHEREAS, the Passaic Valley Sewerage Commission herein referred to as the "Lead Agency" has offered voluntary participation in their North Jersey Wastewater Cooperative Pricing System, which is specifically authorized to establish cooperative purchasing programs pursuant to N.J.A.C. 5:34, and approved by the NJ Division of Local Government Services; and

WHEREAS, the North Jersey Wastewater Cooperative Pricing System has advertised and awarded contracts for a variety of goods and services; and

WHEREAS, Neptune brand meters are the current Edison Township meters and the brand needed for this project; and

WHEREAS, the Township intends to purchase Neptune Water Meters through the North Jersey Wastewater Cooperative Pricing System for which the Township of Edison is a member; and

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

1. Authorization is given to procure Neptune brand water meters through the North Jersey Wastewater Cooperative Pricing System in compliance with N.J.S.A. 40A:11 et seq., and 5:34-7.1 et seq.
2. Prior to purchase, a resolution authorizing the purchase to the contracted vendor shall be passed.

RESOLUTION R.223-042024

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO VARIOUS VENDORS FOR THE FURNISHING OF LAW ENFORCEMENT EQUIPMENT AND SUPPLIES FOR THE DIVISION OF POLICE

WHEREAS, there is a need for various law enforcement equipment and supplies including but not limited to: Ammunition; Firearms and Firearm Repair Parts; Firearm Accessories; Non-Lethal Weapons/Riot Control Equipment, Parts & Accessories; Laser/Radar Guns; Leather/Nylon Goods & Tactical Gear; Body Armor, Bomb Suits & Accessories; Chemical, Biological, Radiological, Nuclear and Explosives (CBRNE) Detection, Mitigation & Personal Protective Equipment, Parts & Accessories; Search and Rescue Equipment; 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, various vendors have been awarded a NJ State Contract under T0106 Law Enforcement Firearms Equipment and Supplies; and

WHEREAS, the Township of Edison is authorized to purchase a combined total amount not to exceed \$350,000.00 from the various vendors awarded a NJ State Contract under T0106; and

WHEREAS, this not to exceed amount cannot be encumbered at this time; and

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

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

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

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

4. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the combined total amount not to exceed \$350,000.00 and any other necessary documents, with various vendors as described herein.
5. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contracts under T0106.

RESOLUTION R.224-042024

Authorizing Temporary Emergency Appropriations for 2024 Sanitation Budget

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

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

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

WHEREAS, it is the recommendation of the Chief Financial Officer that this emergency temporary appropriation be authorized in the amount of **\$857,877.84** for Sanitation Fund in accordance with amount below; and

WHEREAS, this appropriation brings the 2024 year to date temporary appropriation for Sanitation Fund to **\$5,905,554.06**. This brings the Sanitation Fund temporary appropriations to 50.20% of the 2023 budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Edison, County of Middlesex, New Jersey, that in accordance with N.J.S.A. 40A:4-20, an emergency temporary appropriation be and same is hereby made for in the amount of **\$857,877.84** for Sanitation Fund and that said emergency temporary appropriation shall be provided in full in the 2024 budget.

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

	2024-04 BUDGET
SANITATION FUND	EMERGENCY APPROPRIATION
SANITATION Salary	416,245.35
SANITATION Other Expenses	436,632.50
SANITATION Disposal Fees	383,333.33
SANITATION Capital Outlay	(433,333.34)
SANITATION Unemployment Compensation Insurance	5,000.00
SANITATION Edison Landfill Closure Trust	50,000.00
TOTAL SANITATION FUND	<hr/> <hr/> 857,877.84