

Council Meeting Instructions for the public meeting on 6/10/2020

The Municipal Council of the Township of Edison's regularly scheduled June 10, 2020 meeting, will be held by means of electronic communications equipment, as authorized by applicable law. The meeting will be held and conducted via Zoom video communications system.

Due to the COVID-19 pandemic, no members of the public shall be permitted to physically attend the meeting. The public, however, is invited to attend the meeting electronically, and will also include provision for the receipt of public comment.

Please click the link below to join the webinar:

<https://zoom.us/j/95992956425?pwd=VXNNaEc3MklkaU5LVFJ2M2JlV0RlZz09>

Password: 619160

For dial in option.

The number is 646-558-8656

Meeting ID is 959 9295 6425

Password is 619160

*Members of the public will be permitted to speak during the public sessions by raising your hand in the Zoom App or website. For instructions on how to do so, please see the link below.

*If you would like to raise your hand to speak by phone, press *9

https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-In-a-webinar#h_12b8d38d-8d78-4e5b-95f9-f43bac647f2b

AGENDA BELOW

AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Wednesday, June 10, 2020
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 News India Times on December 13, 2019 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **REVIEW OF MINUTES:**
 - a. Combined Meeting of May 13, 2020
5. **REPORTS FROM ALL COUNCIL COMMITTEES:**
6. **POINTS OF LIGHT**
7. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution awarding Contract/Purchase Order to the Institute for Forensic Psychology for Psychological Exams (not to exceed \$39,000.00) (Resolution R.291-062020)
 - b. Resolution awarding Contract/Purchase Order to Motorola Solutions, Inc. for the Maintenance, Repairs and Purchase of Radio Communications Equipment and Services (not to exceed \$175,000.00) (Resolution R.279-062020)
 - c. Resolution ratifying Executive Order 1-2020, issued by Mayor Thomas Lankey on June 1, 2020 (Resolution R.289-062020)
8. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through June 4, 2020 (Resolution R.276-062020)
 - b. Resolution authorizing refund in the amount of \$146,870.02 for redemption of tax sale certificates (Resolution R.277-062020)
 - c. Temporary Budget Appropriations (Resolution R.278-062020)
9. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
 - a. Resolution authorizing a subsidy grant of \$85,000.00 from Township's Affordable Housing Market to affordable Program for the purchase of a home from market rate to affordable (Resolution R.285-062020)
 - b. Resolution authorizing a grant of \$15,000.00 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the purchase of an affordable housing unit by an income certified buyer. (Resolution R.286-062020)
 - c. Resolution rescinding prior Resolution R.233-052020 and reauthorizing the subsidy grant of \$85,000.00 from the Township's Affordable Housing Market to Affordable Program for the purchase of a home from market rate to affordable.(Resolution R.287-062020)

- d. Resolution rescinding Resolution R.234-052020 and reauthorizing a grant of \$15,000.00 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the purchase of an affordable housing unit by an income certified buyer. (Resolution R.288-062020)
10. **FROM THE DEPARTMENT OF WATER & SEWER:**
 - a. Resolution accepting Quote and Awarding Contract/Purchase Order to Mario's Heavy Equipment Repair & Sales LLC for One (1) Air Compressor with accessories (\$21,798.00) (Resolution R.282-062020)
 - b. Awarding Contract for Public Bid No. 20-03-14 Bypass Pumps for Two (2) Bypass Pumps for the Sewer Utility (\$118,096.00) (Resolution R.283-062020)
 - c. Awarding Contract for Public Bid No.20-0221R to Raritan Supply for Water Utility Equipment for the furnishing of Water supplies and Equipment (not to exceed \$440,000) (Resolution R.284-062020)
 - d. An Ordinance amending various sections of the Township Code to establish a connection fee for the water system, establish rates and fees for users of the water system and amend various sections to incorporate recommendations from the Water and Sewer Utility (O.2071-2020)
 - e. Ordinance amends the Edison Township Code to revise and update the 2020 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.2069-2020)
 11. **FROM THE DEPARTMENT OF RECREATION:**
 - a. Resolution authorizing refund of Recreation Revenue due to Program Cancellation (Resolution R.290-062020)
 12. **FROM THE CHIEF OF FIRE:**
 - a. Awarding Contract for Public Bid No. 17-10-RRR-Emergency Vehicle Repairs, could not provide the needed vehicle repairs (\$11,410.08) (Resolution R.280-062020)
 13. **FROM THE CHIEF OF POLICE:**
 - a. Resolution authorizing the Award of a Non-Fair and Open Contract to Queues Enforth Development, Inc. for the Maintenance and Support of the Proprietary Software Computer aided Dispatch (CAD) and Records Management System (RMS) used by Police and Fire Divisions (\$49,560.00) (Resolution R.281-062020)
 14. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**
 15. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING,
AND FINAL ADOPTION:**

**O.2070-2020 ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK**

16. **COMMUNICATIONS:**

- a. Email received from Rabbi Rosenberg

17. **DISCUSSION ITEMS:**

Council President Ship-Freeman

- a . None

Councilmember Brescher

- a . None

Councilmember Coyle

- a . None

Councilmember Diehl

- a . None

Councilmember Gomez

- a . None

Councilmember Joshi

- a. None

Councilmember Patil

- a . None

18. **APPROVAL OF MINUTES:**

- a. Combined Meeting of May 13, 2020

19. **COUNCIL PRESIDENT'S REMARKS**

20. **UNFINISHED BUSINESS:**

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

**O.2070-2020 ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK**

21. **NEW BUSINESS:**

**PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR
WEDNESDAY, JUNE 24, 2020.**

O.2069-2020 **ORDINANCE AMENDS THE EDISON TOWNSHIP
CODE TO REVISE AND UPDATE THE 2020
GALLON WATER RATES THE
CHARGES**

**PER
TOWNSHIP
RESIDENTIAL AND NON-
RESIDENTIAL USERS FOR THE DISCHARGE OF
NORMAL DOMESTIC SEWAGE AND THE RATES
CHARGED SIGNIFICANT INDUSTRIAL USERS OF
THE TOWNSHIP’S SEWER SYSTEM.**

O.2071-2020 **AN ORDINANCE AMENDING VARIOUS SECTIONS
OF THE TOWNSHIP CODE TO ESTABLISH A
CONNECTION FEE FOR THE WATER
SYSTEM,
FOR USERS OF
AND AMEND VARIOUS
INCORPORATE**

**ESTABLISH RATES AND FEES
THE WATER SYSTEM
SECTIONS TO
RECOMMENDATIONS FROM THE WATER AND
SEWER UTILITY”**

22. PUBLIC COMMENT ON THE RESOLUTIONS

23. 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.276-062020 Resolution approving disbursements for the period ending, June 4, 2020.

R.277-062020 Resolution authorizing refund in the amount of \$146,870.02 for redemption of tax sale certificates.

R.278-062020 Temporary Budget Appropriations

R.279-062020 Resolution awarding Contract/Purchase Order to Motorola Solutions, Inc. for the Maintenance, Repairs and Purchase of Radio Communications Equipment and Services in an amount not to exceed \$175,000.00.

R.280-062020 Awarding Contract for Public Bid No. 17-10-RRR-Emergency Vehicle Repairs, could not provide the needed vehicle repairs to Campbell Supply Co., LLC in the amount of \$11,410.08.

R.281-062020 Resolution authorizing the Award of a Non-Fair and Open Contract to Queues Enforth Development, Inc. for the Maintenance and Support of the Proprietary Software Computer aided Dispatch (CAD) and Records Management System (RMS) used by Police and Fire Divisions in the amount of \$49,560.00.

R.282-062020 Resolution accepting Quote and Awarding Contract/Purchase Order to Mario’s Heavy Equipment Repair & Sales LLC for One (1) Air Compressor with accessories in the amount of \$21,798.00.

- R.283-062020 Awarding Contract for Public Bid No. 20-03-14 Bypass Pumps for Two (2) Bypass Pumps for the Sewer Utility in the amount of \$118,096.00.
- R.284-062020 Awarding Contract for Public Bid No.20-0221R to Raritan Supply for Water Utility Equipment for the furnishing of Water supplies and Equipment in an amount not to exceed \$440,000.
- R.285-062020 Resolution authorizing a subsidy grant of \$85,000.00 from Township's Affordable Housing Market to affordable Program for the purchase of a home from market rate to affordable.
- R.286-062020 Resolution authorizing a grant of \$15,000.00 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the purchase of an affordable housing unit by an income certified buyer.
- R.287-062020 Resolution rescinding prior Resolution R.233-052020 and reauthorizing the subsidy grant of \$85,000.00 from the Township's Affordable Housing Market to Affordable Program for the purchase of a home from market rate to affordable.
- R.288-062020 Resolution rescinding Resolution R.234-052020 and reauthorizing a grant of \$15,000.00 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the purchase of an affordable housing unit by an income certified buyer.
- R.289-062020 Resolution ratifying Executive Order 1-2020, issued by Mayor Thomas Lankey on June 1, 2020.
- R.290-062020 Resolution authorizing refund of Recreation Revenue due to Program Cancellation.
- R.291-062020 Resolution awarding Contract/Purchase Order to the Institute for Forensic Psychology for Psychological Exams in an amount not to exceed \$39,000.00.

24. **COMMUNICATIONS:**

- a. Email received from Rabbi Rosenberg

25. **ORAL PETITIONS AND REMARKS**

26. **ADJOURNMENT**

ORDINANCE O.2070-2020

TOWNSHIP OF EDISON
COUNTY OF MIDDLESEX, NEW JERSEY

CALENDAR YEAR 2020

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

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

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

WHEREAS, the Township Council of the Township of Edison in the County of Middlesex, N.J., finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5 % increase in the budget for said year, amounting to **\$1,218,700.10** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Edison in the County of Middlesex, N.J., a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of Edison shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to **\$4,265,450.35** and that the CY 2020 municipal budget for the Township of Edison be approved and adopted in accordance with this ordinance; and,

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

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

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

ORDINANCE O.2069-2020

EXPLANATION: This Ordinance amends the Edison Township Code to revise and update the 2020 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 [~~\$0.004221~~]\$0.004428 per gallon of water consumed, provided that the users are using metered water. This rate shall be effective as of January 1, [2019] 2020 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 nonmetered source shall, except as provided in paragraph h. below, be charged as follows:

[~~\$261.45~~] \$274.26 in [2019] 2020. 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:

	[2019*]	<u>2020*</u>
Class I	[0.006649]	<u>0.006975</u>
Class II	[0.009207]	<u>0.009658</u>
Class III	[0.010467]	<u>0.010980</u>
Class IV	[0.012439]	<u>0.013049</u>

*The sewer rates for [2019] 2020 established above shall be effective as of January 1, [2019] 2020 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:

	[2019*]	<u>2020*</u>
No. 1 Flow**	[\$855.37]	<u>\$897.28</u> per million gallons
No. 2 BOD (Bio-Oxygen Demand)	[\$1,088.18]	<u>\$1,141.50</u> per ton
No. 3 SS (Suspended Solids)	[\$1,213.93]	<u>\$1,273.41</u> per ton
No. 4 CD (Chlorine Demand)	[\$272.39]	<u>\$285.74</u> per cwt

*The user fees of SIUs for [2019] 2020 established above shall be effective as of January 1, [2019] 2020 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:

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

2. 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 [~~\$0.004221~~]\$0.004428 per gallon of water consumed, provided that the users are using metered water. This rate shall be effective as of January 1, [2019] 2020 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 nonmetered source shall, except as provided in paragraph h. below, be charged as follows:

[\$261.45] \$274.26 in [2019] 2020. This amount shall remain unchanged in all subsequent calendar years unless modified by ordinance.

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

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*The sewer rates for [2019] 2020 established above shall be effective as of January 1, [2019] 2020 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:

	[2019*]	<u>2020*</u>
No. 1 Flow**	[\$855.37]	<u>\$897.28</u> per million gallons
No. 2 BOD (Bio-Oxygen Demand)	[\$1,088.18]	<u>\$1,141.50</u> per ton
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No. 4 CD (Chlorine Demand)	[\$272.39]	<u>\$285.74</u> per cwt

*The user fees of SIUs for [2019] 2020 established above shall be effective as of January 1, [2019] 2020 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.

EXPLANATION: An Ordinance amending various sections of the Township Code to establish a connection fee for the water system, establish rates and fees for users of the water system and amend various sections to incorporate recommendations from the Water and Sewer Utility.

EDISON TOWNSHIP

ORDINANCE O.2071-2020

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

WHEREAS, the Township Code of General Ordinances (the “**Code**”) provides for the establishment and organization of the Township government; and

WHEREAS, pursuant to the ordinance adopted by the municipal council of the Township (the “**Township Council**”) on September 9, 2019, the Township established the Edison Department of Water and Sewer (the “**Utility**”), a public utility for the operation, maintenance and management of the Township’s water distribution system (the “**Water System**”) and sewer collection system (the “**Sewer System**” and together with the Water System, the “**Systems**”); and

WHEREAS, in addition to rates, rents and fees, a separate charge in the nature of a fee charged to any property connecting to the Systems may be imposed on the owner or occupant of the property so connected (“**Connection Fees**”); and

WHEREAS, the Code includes provisions for a Connection Fee for users who connect to the Sewer System; and

WHEREAS, the Township has determined to amend the Code to include a Connection Fee to be charged to users of the Water System; and

WHEREAS, NW Financial Group, LLC (“**NW**”) prepared a report (the “**Report**”) calculating the Connection Fee in accordance with the *N.J.S.A. 40A:31-11*; and

WHEREAS, based on the calculations contained in the Report, the Township has determined to amend the Code to provide for Connection Fees to be charged to the users who connect to the Water System as follows:

27-2.36. Connection Fees.

(1) The initial fees for the right to connect to the Water System shall include a connection fee or charge per unit for the cost of connection as set forth herein. These fees shall apply to all connections whether direct, indirect, separate or shared.

(2) For each new unit, whether created by new construction or conversion or addition to an existing structure or change of use, there is established a water connection fee as set forth herein. For units involving new construction, the connection fees, charges or costs shall be paid before the connection is made; inspection fees shall be estimated and adjusted upon completion. Changes that increase the total number of units shall pay additional connection charges for each unit prior to the issuance of a Construction Code Permit in accordance with the schedule herein. Each residential unit shall be charged for each single family living accommodation or dwelling unit per connection. From and after July 15, 2020, a customer seeking to connect to the Water System for the first time or to enlarge an existing connection shall pay the following connection fee: \$1,369.81 per Equivalent Dwelling Unit ("EDU"). An EDU is defined as 300 gallons per day. For meters larger than 5/8-inch, the connection fee shall be determined by the number of EDUs that the larger meter represents times the connection fee for one EDU. The number of EDUs that meters larger than 5/8-inch represent is determined by the ratio of the average flow of the larger meter in the Water System to the average flow of an EDU as calculated in accordance with N.J.A.C. 7:14A-23.¹

(3) Connection fees, which are one-time initial service charges for the right to connect to the Water System, are deemed an integral part of the Utility's rate schedule.

(4) Should the foregoing connection fees create a hardship, application can be made to the Director for a time payment.

WHEREAS, a public hearing concerning the proposed Connection Fees will be noticed and held on June 24, 2020 as required by, and in accordance with, *N.J.S.A. 40A:31-11*; and

WHEREAS, the Township has determined to further amend the Code to amend the rates, rents and fees charged to users of the Water System and incorporate recommendations from the Director of the Water and Sewer Utility; and

WHEREAS, the Township Council has determined to amend Chapter 27 of the Code to read as follows:

... [NOTE to Codifier, Additions noted in underline, ~~deletions noted in strikethrough~~.]
...

Chapter 27

DEPARTMENT OF WATER AND SEWER

¹ This calculation shall be automatically adjusted in accordance with any amendments to N.J.A.C. 7:14A-23.

§ 27-1. DEPARTMENT OF WATER AND SEWER. [1999 Code §§ 13.04.010 - 13.04.300; amended 9-10-2019 by Ord. No. O.2047-2019; 9-9-2019 by Ord. No. O.2049-2019, amended -20 by Ord. No. _____]

§ 27-1.1. Department of Water and Sewer Established.

There shall be created and established in and for the Township a municipally owned public utility for water and sewer, to be known as the "Edison Department of Water and Sewer," hereinafter referred to as the "Water and Sewer Utility." The authorized operations of the Water and Sewer Utility shall consist of the operation, management, control and maintenance of the ~~water and sewer systems~~ Township's water distribution system ("Water System") and sewer collection system ("Sewer System") and all extensions and improvements hereafter made thereto, together with all services relating to such purposes, including the billing and collection of user fees and connection fees.

~~§ 27-1.2. Water Supply Control and Supervision.~~

~~Water used for the usual domestic and manufacturing purposes and supplied by the Township to the inhabitants thereof shall be under the supervision of the Department.~~

~~§ 27-1.3. Director: Appointment, Compensation and Vacancy.~~

- a. There shall be appointed by the Mayor a Director of the ~~Department of Water and Sewer Utility~~, hereinafter the "Director", who shall receive such compensation as may be fixed annually by ordinance of the ~~Municipal~~ Township Council. The term of the Director shall be for four years. If any vacancy occurs in the office of the Director, his or her successor shall be appointed for the unexpired time only. Additional help may also be employed from time to time as may be required.
- b. The Director will report directly to the Business Administrator. The Director is responsible for organizing, directing, and coordinating the employees of the ~~Department~~ Water and Sewer Utility. The Director has overall responsibility for determining major departmental policies, planning long- and short-range programs, budget preparation, personnel management and professional growth of staff, and deals with major technical and administrative matters with other departments, the Mayor, Business Administrator, ~~City~~ Township Council, various commissions, outside agencies, and the public at large. The Director shall have five years of experience involving managing water distribution and sewer collection systems in New Jersey.

§ 27-2. WATER USE REGULATIONS. [1999 Code §§ 13.04.010 - 13.04.300; amended 9-10-2019 by Ord. No. O.2047-2019; 9-9-2019 by Ord. No. O.2049-2019; amended _____ -20 by Ord. No. _____]

§ 27-2.1. Applicability of Rules and Regulations

Every person who shall construct, connect to, alter or use any part of the Water System and or Sewer System and every consumer of water and Owner, occupant or person in possession, charge or control of any building, structure or Premises having service there

from, shall be under the supervision of the Utility and be governed by and subject to the provisions of this Chapter governing the use of water as may from time to time be adopted and approved by the Township Council. It is the duty of the Water and Sewer Utility to enforce the provisions of this Chapter governing the use of water and any other applicable rules and regulations.

Privately owned Water Mains and Water Services must comply with this Chapter and these rules and regulations.

§ 27-2.2. Regulations to Be Part of Contracts.

The following regulations shall be considered a part of ~~the~~ any contract with every ~~person~~ Person who uses water, and the fact of using water shall be considered as expressing assent on the part of the user to be bound thereby.

§ 27-2.3. Definitions

As used in this Chapter 27 of the Township Code, the following terms shall have the meanings indicated:

"Applicant" shall mean the Person applying for a permit, approval or other action by the Water and Sewer Utility including the Owner or an agent of the Owner.

"AWWA" shall mean the American Water Works Association.

"Backflow" shall mean the flow of water or other liquids, mixtures or substances in the Water Mains, Water Services or other facilities of the Water System from any source other than its intended source.

"Backflow Preventer" shall mean any device or means, approved by the Utility, designed to prevent Backflow or Backsiphonage including, but not limited to, a Double Check Valve Assembly and a Reduced Pressure Principle Backflow Preventer.

"Backsiphonage" shall mean the Backflow of water or other liquids, mixtures or substances into the Water Mains, Water Services or other facilities of the Water System from any source other than its intended source caused by the sudden reduction of pressure in the Water System.

"Cross-Connection" shall mean any actual or potential connection between the public water supply and a source of possible contamination or pollution.

"Curb Stop" or "Curb Valve" shall mean a valve, typically located near the property line, on the Water Service Line which can be used to discontinue or allow the flow of water to a property.

"Curb Box" shall mean a housing used for the purpose of access and protecting a Curb Stop.

"Customer" shall mean the Person contracting for Water Service to a property and includes consumers and Owners.

"Director" shall mean the representative designated by the Mayor of the Township to act in administrative, managerial and operational matters for the Utility.

“Double Check Valve Assembly” or “Double Check Valve” shall mean an assembly of two (2) independently operating spring loaded check valves with tightly closing shut off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve.

“Domestic Service” shall mean a Water Service whose flow is not used for fire protection.

“Equivalent Dwelling Unit” or "EDU" is defined as 300 gallons per day of water use.

“Engineer” shall mean the engineer of the Township or Utility.

“EPA” shall mean the United States Environmental Protection Agency.

"Fire Service" shall mean a Water Service whose flow is used to provide fire protection.

"GPM" shall mean gallons per minute.

"Inspector" shall mean an inspector or any authorized representative or agent of the Township.

"NJDEP" shall mean the New Jersey Department of Environmental Protection.

"Owner" shall mean the owner or owners of the freehold of the Premises or of a lesser estate therein, a vendee in possession or the lessee or joint lessees of the whole thereof.

"Person" shall mean any individual, association, corporation (municipal or private) or firm acting either directly or through a duly authorized agent.

"Potable Water" shall mean the water supplied by Middlesex Water Company and New Jersey American Water for purposes of human, commercial and industrial use and consumption.

"Premises” includes a lot or part of a lot, a building or part of a building or any parcel or tract of land.

"PSI" or "psi" shall mean pounds per square inch.

“Reduced Pressure Principle Backflow Preventer” or “Reduced-Pressure Principle Backflow-Prevention Assembly” shall mean an assembly consisting of two (2) independently operating approved check valves with an automatically operating differential relief valve located between the two (2) check valves, tightly closing shut-off valves on each side of the check valves plus properly located test cocks for the testing of the check valves and relief valve.

"RPZ" shall mean a Reduced Pressure Principle Backflow Preventer.

"Tap" shall mean the fitting in a Water Main to connect a Water Service Line.

“Utility” shall mean the Water and Sewer Utility.

"Water Main" shall mean the pipes, valves, Taps, including corporation cocks, or tapping valve owned by the Township, through which Potable Water is transported and distributed to any and all Water Services, fire hydrants and fire service sprinkler systems.

"Water Main Extension" shall mean the installation of new Water Mains.

"Water Meter" shall mean the mechanical instrument of a type approved and owned by the Water and Sewer Utility, required to be used on all Domestic and all Fire Service lines for measuring the quantity of water passing a given point.

"Water Service" or "Water Service Pipe" or "Water Service Line" shall mean all pipes, fixtures, Water Meters and associated appurtenances from the Water Main to whichever of the following is farthest downstream (outlet side) of the Water Meter: a) the downstream Domestic Service Water Meter service valve if a Backflow Preventer is not required, b) the downstream Domestic Service Backflow Preventer if a Backflow Preventer is required, c) the Fire Service RPZ or double detector check Backflow Preventer downstream bypass connection tee if there is a bypass, or d) the Fire Service RPZ or double detector check backflow preventer if there is no bypass. The Water Service includes the service line from the Water Main including the tap and tapping valve, Curb Stop, water service pipe, strainer, Water Meter, test tee, inlet and outlet Water Meter valves, and dual check device or Backflow Preventer.

"Water Supply Line" shall mean all pipes and fittings, which are owned and maintained by the Owner, located between the Water Meter outlet service valve and the various water consuming appliances, devices and fixtures throughout the Premises or property.

"Water System" shall mean all Water Meters, Water Mains and all other facilities and appurtenances connected with the distribution of Potable Water owned by the Water and Sewer Utility or Township.

§ 27-2.4. Availability of Service

It is the policy and intent of the Utility to provide Potable Water to the Customers of the Water System who have received approvals from the Utility and the Township, consistent with applicable laws, regulations and practices. In the event that an extension or improvement of the Water Mains or Water System is necessary to provide service to a Customer, it shall be the Applicant's obligation to pay for such extension(s) or improvements. From time to time the capacity of the Water System may be limited due to physical limitations, resulting in a prohibition of additional connections until an increase in capacity has been approved and constructed or due to regulatory requirements, promulgated by Federal and/or State agencies. At such times, applications for such connections will be postponed until the limitations or restraints have been removed.

The determination of available capacity and the processing and approval of applications for connections shall be within the sole discretion of the Utility. The Utility shall have the right to reserve a sufficient supply of water at all times to provide for fire and other emergencies and may restrict or regulate the quantity of water used by its Customers in case of scarcity or whenever public welfare may require.

§ ~~27-2.2.~~ 2.5. Application for Use of Water.

All applications for the use of water ~~must~~ shall be made at the office of the ~~Director of the Department of Water and Sewer Utility~~ and in the form prescribed by the Director and must state fully and truly the various uses to which the water is to be applied; should it subsequently be required for other purposes, notice must be given before the desired change is made.

§ 27-2.6. Permits

No permit for the installation of any Water Service or Water Main Extension or portions thereof shall be granted or Water Meter issued until a plan of such Water Service or Water Main Extension has been submitted in accordance with all the requirements herein and reviewed and approved by the Engineer and Utility. Where a Water Service Pipe has been previously installed from the Water Main and subsequently cut and capped or otherwise turned off and the Water Meter removed, an application for a Water Service must be made to re-establish that Water Service.

§ 27-2.7. Fees and Charges for New or Changed Water Services

Applicant must pay the following fees or charges as set forth in this Chapter before obtaining approvals or a Water Meter:

- a) Water Service Application Fee (for Water Services 2-inches and larger).
- b) Water Main Inspection Fee
- c) Deposit for Record Drawings (for Water Services 3-inches and larger). Returned upon submission of record drawings.
- d) Water Connection Fee. An impact fee for the use of the Water System, whose construction was paid for by previous users.
- e) Water Meter Permit Fee. Pays for the Water Meter and strainer.
- f) Water Tap Permit Fee. Pays for the tap.
- g) Cutting and Capping a Water Service. Needed only if an existing Water Service is being abandoned.

§ 27-2.8. Other Utilities During Construction

The attention of the Applicant is directed to the existence of underground utilities. The notification of utility companies is the responsibility of the Applicant and the Applicant shall be solely responsible for any direct or indirect damage to such utilities in the installation of the service line or lateral.

§ 27-2.9. Installations, Submission of Record Drawings

Installation of all Water Services must be done by a plumber. For Water Services 3-inches and larger, Applicant shall submit record drawings that are in conformance with application requirements established by the Director. Water Meters will not be issued until such time as "As-Built" of Water Service have been submitted and approved by the Water and Sewer Utility.

§ 27-2.10. Small Water Services

Applications for installation of Water Services for single-family and two family residences of less than 2-inches, whether for Fire Service, Domestic Service or both, do not require submission of plans but Water Services must be installed in accordance with the specifications and requirements of this Chapter.

§ 27-2.11. Large Water Services

Application for installation of Water Services of 2-inches or greater, whether for Fire Service, Domestic Service or both, and for all Water Services, regardless of their size, for two-family or larger residences must be submitted to the Water and Sewer Utility for approval. The plans must contain:

- a) Three (3) sets of plans must be submitted with the application (one for the record, one to the Building Department, one to the Owner). Also, a CD with the drawing in PDF format is to be submitted with the application.
- b) All plans shall be signed and sealed by a licensed professional engineer or registered architect licensed to practice in New Jersey.
- c) Submitted plans shall be standard engineering drawings, size 24-inches x 36-inches.
- d) The plans shall include and clearly show:
 - i. Site plan showing the adjacent streets with water mains and any existing Water Service Pipes to the Premises,
 - ii. Key map showing the general location within the Township,
 - iii. The complete Water Service including:
 - A. Location and size of tap into the water main and tapping valve and adjacent gate valve (if the water main is 8-inches or greater),
 - B. Location of curb gate valve,
 - C. Location and size of Water Meter,
 - D. Location of Water Meter isolation gate valves,
 - E. Location of check valve(s) or backflow preventer, as required, near the Water Meter,
 - F. Location of test tee connection, and
 - G. Any other detail including all fixtures and connections.
 - iv. Water Supply Pipe schematic showing the location of connections to Backflow Preventers and check valves, surge tanks, storage tanks, pressure tanks, filters, swimming pools, bathing and display pools, sterilizers, condensers, compressors, reservoirs, boilers or other heating equipment using water, humidifiers, and washers.
 - iv. Plans shall be drawn to a scale of not less than 1 /8 inch to the foot; provided, however, that detailed plans shall be drawn to a scale and may be presented in either horizontal or vertical plane or isometric form.
- e) State on the plans the type of occupancy of the facility receiving the Water Service (i.e. hospital, warehouse, apartment building, etc.).
- f) Such plan or plans shall be presented with the application for permit to the Water and Sewer Utility.
- g) All plans shall conform to the specification, rules, and regulations of the Water and Sewer Utility.

§ 27-2.3. 2.12. Installation and Furnishing of Water Service Lines Line Taps and Discontinuation of Service.

~~The Township will furnish and install all water service lines between the water mains and the curblines upon the proper application therefor by the property owner or his or her agent and the receipt of payment therefore.~~

The Utility will install all Water Service Taps ranging in sizes from 3/4" to 2". No person shall tap or connect to any Water Main of the Water System or insert a Tap therein except employees or authorized agents of the Utility. The Tap into the Water Main shall be a maximum of one size smaller than the Water Main. The Owner, builder or contractor will be responsible for the excavation and prepping of the Water Main that will be tapped. Water Service Lines in excess of 2" or multiple Taps for a residential condo complex, apartment building/complex or residential building exceeding 2 units will be installed by the homeowner, builder or contractor under supervision of the Water and Sewer Utility. A solid ductile iron tapping sleeve such as Mueller H-6I 5 or approved equal shall be utilized for all Taps 2-inches and larger. The tapping sleeve shall have passed AWWA pressure testing standards prior to installation. For all Taps, a tapping valve shall be installed as part of the tap installation. If the Tap is two inches or larger, the tapping valve must be a gate valve with a valve box with the word "Water" cast into the cover. All Fire Service Taps will be the responsibility of the homeowner, builder or contractor under supervision of the Water and Sewer Utility. Any Owner, contractor or builder that wishes to terminate the Water Service shall be responsible for the excavation and disconnection of the Water Service Line from the corporation under the supervision and inspection of the Utility. The joining of two or more smaller Water Service Pipes for the purpose of connection to one larger service is prohibited. Where the proposed connection is equal to or more than half the diameter of the existing Water Main, no Tap is permitted.

§ 27-2.4. 2.13. Service Line Specifications.

~~Copper pipe shall be used for all service lines ranging in sizes from 3/4 inch to two inches inclusive, and cast iron pipe shall be used for all service lines and fire lines ranging in sizes from three inches to eight inches inclusive. Taps shall be made of the following sizes: 3/4 inch, one inch, 1 1/2 inches, two inches, three inches, four inches, six inches and eight inches.~~

All Water Service Pipes 2-inches or less shall be in accordance with plumbing subcode of the New Jersey Uniform Construction Code. If a nonmetallic material is used, a metal tracer wire shall be incorporated in the pipe. Copper Water Service Pipe shall be laid with no connections between the tapping valve (Water Main) and curb stop. Connections may only be by flare fittings.

All Water Service Pipes 3-inches and larger shall be in accordance with plumbing subcode of the New Jersey Uniform Construction Code. Water Service Pipe shall be laid continuously rodded with thrust blocks at all bends.

Each new Water Service Pipe shall be laid in a straight line from the Water Main to the property line or to within the building line at right angles to the street Water Main to which it is connected except for the loop off the gooseneck for Water Services and where the subsurface conditions make it impracticable the Water Service Pipe may be otherwise laid upon the approval of the Utility of the plans submitted by a plumber showing the proposed location of the Water Service Pipe. The Water Service Pipe shall be laid at a depth of at least four feet below grade. Water Service Pipes and a sewer pipes (lateral) may not be installed in the same trench and must be installed in separate trenches. All Water Service Pipes shall have an excess of three feet of pipe formed into a loop at the gooseneck to the tap and laid to the right hand, facing the tap. The loop shall be installed in such a manner as will completely absorb all strain to Water Service Pipe and Water Main which may be

caused by any shock, strain or vibration to which said Water Service Pipe or Water Main may be subjected. It shall be the duty of the plumber performing labor in and about any Water Service to protect same from frost. The plumber shall not be released from the responsibility thereof by having the Owner of the premises or others do the work for him. After installation of the Water Service, valves at the inlet side of Water Meter shall be left closed, and in no case shall the water be turned on except by any employee of the Utility. Plumbers shall not leave any valve or stop cock at inlet side of the Water Meter location open, nor water turned on in the Premises after connection of the Water Meter to the Water Service Pipe, longer than is required to test their work, without permission of the Director. A gooseneck connection is required on all Water Service Pipes. The size of the Tap (connection), the size of the Water Service Pipe, and the minimum size of the gooseneck between the Water Service Pipe and the Tap shall all be the same size. Any exceptions to these requirements must be approved in writing by the Director.

§ 27-2.5 ~~2.14~~. Costs of ~~Furnishing and Installing~~ Inspecting Service Lines Line Installations.

The Applicant shall pay Edison Division of Water Supply for the cost of furnishing and installing the water service line between the water main and the curbline based upon the tapping fee schedule in effect at the time of the application the Water and Sewer Utility \$50.00 for inspecting the installed Water Service Line.

§ 27-2.6 ~~2.15~~. Maintenance and Costs of Portions of Service Lines.

- a. ~~All Water Service Lines between the Water Main and the curb ~~cock~~ stop shall be maintained by the Department of Water and Sewer, at the expense of the property owner Water and Sewer Utility.~~
- b. The Owner of a building and Premises connected to the municipal water supply with a Water Service Line in excess of two inches or any Fire Service line shall be responsible for the entire Water Service Line and/or Fire Service line from the Water Main to the Water Meter. The Owner shall be responsible for replacement and/or repair of that Water Service Line and/or Fire Service line. In no event shall an Owner be permitted to repair, replace, remove or in any way alter the Water Service Line or Fire Service line without first obtaining the prior written consent of the Director. All repairs, alterations or replacements must be inspected and approved by the Director. Any person found to have repaired, replaced, removed, or altered any Water Service Line or Fire Service line without prior written consent, as set forth herein, shall be subject to criminal prosecution pursuant to the General Penalty provisions of the Revised General Ordinances of the Township of Edison and/or the laws of the State of New Jersey.
- c. Generally, as to all Owners:
 - (1) Installation, repairs, and replacement of Water Service Pipes, for which the Owner is responsible, shall be made by a licensed plumber hired by the Owner and inspected and approved by a designee of the Water and Sewer Utility. All costs shall be borne by the Owner.

- (2) In the case of a leaking Water Supply Line, for which the Owner is responsible, the Owner shall be required to contract with a plumber to repair said supply line leak within three (3) to five (5) business days. If no arrangements have been made to repair the leakage within the time prescribed herein, the Water and Sewer Utility shall be permitted to retain a contractor to complete the work for a cost of time and materials, which cost shall be the responsibility of the Owner and shall be collected as permitted by law. Restoration of lawn areas, shrubs, fences, walkways, driveways, steps, etc., shall be the sole responsibility of the Owner and not considered as part of the contractor's time and materials costs.
- (3) Repairs. When, in the opinion of the Director, there exists a condition which may affect water quality, pressure or the accurate recordation of water consumption for which the Owner is responsible, or it is found that the Water Service Pipe between the Water Meter and curb stop is not in serviceable condition, the Director shall serve a written notice to the Owner of the Premises or the Customer within 48 hours, describing the condition and if known, specifying the required repairs or improvements to be made within seven (7) days of the date thereof. Upon refusal or neglect of the Person so noticed to comply with the requirements of the notice, the Director may shut off the water supply to the Premises until such work is completed and a charge for shutting off and turning on the water has been paid and/or employ the necessary labor and materials to perform the necessary work.
- (4) Emergency Repairs. When, in the opinion of the Director, there exists a condition upon a Premises which creates an actual or imminent threat to the drinking water or the supply of water, for which the Owner is responsible, the Director shall serve a written notice describing the condition and if known, specifying the required repairs or improvements to be made within the time prescribed in the notice. Upon refusal or neglect of the Person so noticed to comply with the requirements thereof, the Director may shut off the water supply to the Premises until such work is completed. and/or employ the necessary labor and materials to perform the required work.
- (5) Cost of repairs. Costs incurred by the Water and Sewer Utility for the performance of the repairs and/or improvements in this section shall be detailed on an invoice to be included with the water bill for that particular time period in which the repairs were performed and shall be a first lien or charge against the affected property. The Township or the Water and Sewer Utility may thereafter institute an appropriate action against the Owner of the Premises for the recovery of such costs.
- (6) The Township and the Water and Sewer Water Utility shall not be liable for any damage resulting from failure to observe the regulations in this Chapter.

§ 27-2.7 2.16. Opening and Closing of Curb Coeks Stops.

~~The curb cock shall be opened and closed only by the Director of the Department of Water and Sewer, or his or her assistant, or by special permit granted in writing by the Director. Any person or persons turning on the water after it has been turned off at the curb shall be fined the sum of \$25. The Township shall not be liable for any damage resulting from failure to observe this regulation.~~

- a. No connection shall be made to a Township Water Main without first obtaining the approval of the Director. No Water Service Line ranging in size of $\frac{3}{4}$ of an inch to 2 inches shall be approved unless said service line is constructed in accordance with plumbing subcode of the New Jersey Uniform Construction Code. No Water Service Line ranging in size of three (3) inches or greater shall be approved unless said service line is constructed in accordance with plumbing subcode of the New Jersey Uniform Construction Code. Only personnel of the Water and Sewer Utility, or other persons, firms or entities which have received written permission from the Director, may tap a Water Main, open or close a curb stop or water valve for Water Service. Any Person found to have tapped a Water Main, opened, closed or to have, in any way, tampered with a curb stop or water valve without having received express written permission as required herein, shall be subject to a fine of \$500 and criminal prosecution pursuant to the General Penalty provisions of the Revised General Ordinances of the Township of Edison and/or the laws of the State of New Jersey.
- b. It shall be a violation of this Chapter and otherwise unlawful for any Owner to cause or allow water from the Water System to be consumed without any approved Water Meter to register the amount of water consumed. In addition to any fees and penalties imposed under this Chapter, the Owner shall be rebilled for the estimated amount of unmetered water consumed.

~~§ 27-2.8~~ 2.17. Special Permit Required to Leave Water Running.

~~The water in no case shall be left running without a special permit from the Director of Department of Water and Sewer.~~

~~§ 27-2.9~~ 2.18. Multiple Service from Single Service Pipes; Discontinuance of Service.

~~If written permission should be granted by the Director of the Department of Water and Sewer for two or more parties to take water through one service pipe~~ Water Service Pipe, the provision in regard to the cutting off of the supply pipe shall be applicable to all the parties although one or more of them shall be innocent of any cause of offense.

~~§ 27-2.10~~ 2.19. Owners Responsible for Water Bills of Tenants.

~~Owners of premises~~ Premises will be held responsible for the water bills of their tenants.

~~§ 27-2.11~~ 2.20. Water Supply by Consumers to Others Restricted.

No ~~consumer~~ Customer or user shall supply water from the Water System to other ~~persons~~ Persons or Premises not entitled to its use except upon written permission from the ~~Supervisor,~~ Director, under penalty of a fine of ~~\$25-\$500~~ for each and every offense and subject to criminal prosecution pursuant to the General Penalty provisions of the Revised General Ordinances of the Township of Edison and/or the laws of the State of New Jersey.

§ ~~27-2.12~~ 2.21. Nonliability of Township for Interruptions in Service.

Customers shall not be entitled to damages, nor will any part of a payment be refunded, for any stoppage of ~~supply~~ water distribution occasioned by an accident to any portion of the ~~works~~ Water System, nor for stoppage for the purpose of additions or repairs. The Director shall have the right to shut off the water to make extensions, alterations or repairs.

§ ~~27-2.13~~ 2.22. Accessibility for Inspections.

All apparatus and places ~~supplied with~~ receiving water from the Water System must be accessible and open to the inspection of the Director, his or her agents and Township inspectors at all times, and all pipes and fixtures shall be subject to rejection by the Director if considered unsuitable for the purpose. Fee's will be imposed upon Owners for failure to allow access to a Water Service for purposes of service or installation of the Water Meters or associated appurtenances; inspection of the Water Service; or access to the Water Supply Line or Water Service for inspection or testing of Backflow prevention devices. Failure to allow access includes a Customer not responding within thirty (30) days to a request for access delivered by certified mail or a Customer's refusal to set and honor a date for access when contacted in person or by phone by the Water and Sewer Utility. The Water and Sewer Utility may turn of the Water Service until such entry or access shall have been accomplished and shall impose a Failure to Allow Access Fee in accordance with the following guidelines:

<u>Meter or Service Size (Inches)</u>	<u>Failure to Allow Access Fee</u>
<u>5/8</u>	<u>\$200.00</u>
<u>3/4</u>	<u>\$200.00</u>
<u>1</u>	<u>\$200.00</u>
<u>1 1/4</u>	<u>\$200.00</u>
<u>1 1/2</u>	<u>\$250.00</u>
<u>2</u>	<u>\$500.00</u>
<u>3</u>	<u>\$1,000.00</u>
<u>4</u>	<u>\$1,250.00</u>
<u>6</u>	<u>\$1,250.00</u>
<u>8</u>	<u>\$1,250.00</u>

<u>10</u>	<u>\$1,250.00</u>
<u>12</u>	<u>\$1,250.00</u>

§ 27-2.14 2.23. Use of Fire Hydrants and Relocation of Fire Hydrants .

- a. Fire hydrants shall be used only by members of the Water and Sewer Utility, Fire Department or other authorized officials, except upon written permission having been secured from the Director of the Department of Water and Sewer with the approved cross contamination connection Cross-Connection contamination measures in place. Anyone operating a fire hydrant in violation of this Chapter will be subject to a fine of \$500.00 for the first offense. For each additional offense the fine will double.
- b. An Owner shall pay a \$4,000 relocation fee to the Water and Sewer Utility to relocate a fire hydrant on an existing water line.
- c. An Owner shall submit engineering plans for approval, and pay a \$7,500 relocation fee, to the Water and Sewer Utility to relocate a fire hydrant with a new water line from the Water Main to the fire hydrant.

§ 27-2.15 2.24. Service Connections to be Metered.

- a. All service connections within the Water System shall be metered at all times, including except for construction purposes. when temporary Temporary service may be allowed by written permission of provided by the Supervisor Director. A temporary fire hydrant meter/Backflow may also be used after filing for the appropriate permit with the Water and Sewer Utility and paying the fee as set forth in §27-2.34 and herein. All meters Water Meters, except for new construction, shall be furnished and set by the Department of Water and Sewer Utility. All Water Meters meters remain the property of the Township Water and Sewer Utility. Water Meters may be required to be set either within the lines of the building to be supplied or in a specially constructed box at the curb, as may be directed by the Director.
- b. Before water shall be turned on for construction purposes, an advance payment of \$8 shall be made for a one-family frame house for each service and \$12 for a one-family house constructed more than 50% of any other material. In case of larger buildings or apartments, the charge shall be determined by the Director. After the completion of the construction, the water shall be turned off at the curb and not turned on again until application is received for a meter. Owners. a Hydrant Meter Permit along with a \$5,000 deposit for a temporary meter shall be deposited with the Water and Sewer Utility. The

temporary meter/backflow shall be supplied by the Director. The \$5,000 deposit shall be charged for any damages to the temporary meter. After the completion of the construction, (i) the temporary meter shall be returned to the Water and Sewer Utility, (ii) the \$5,000 deposit shall be charged for water use, and (iii) the water shall be turned off at the curb if applicable and not turned on again until application is received for a Water Meter. Owners shall be liable for the ~~minimum charge~~ estimated charge per quarter or any fraction thereof that the water is left turned on prior to installation of a meter.

§ 27-2.25 Water Meter Fee.

Fee for the cost of a new or different sized Water Meter, which Water Meter shall remain the property of the Utility:

Domestic Service Meters

<u>Meter Type</u>	<u>Meter Size (Inches)</u>	<u>Water Meter Fee *</u>
<u>Neptune</u>	<u>5/8 or 5/8 by 3/4</u>	<u>\$150</u>
<u>Neptune</u>	<u>3/4</u>	<u>\$200</u>
<u>Neptune</u>	<u>1</u>	<u>\$290</u>
<u>Neptune</u>	<u>1 1/2</u>	<u>\$645</u>
<u>Neptune</u>	<u>2</u>	<u>\$1,392.60</u>
<u>Neptune</u>	<u>3</u>	<u>\$3,350</u>
<u>Neptune</u>	<u>4</u>	<u>\$5,379</u>
<u>Neptune</u>	<u>6</u>	<u>\$8,195</u>
<u>Neptune</u>	<u>8</u>	<u>\$8,580</u>
<u>Neptune</u>	<u>10</u>	<u>\$13,310</u>

Fire Service Meters

<u>Meter Type</u>	<u>Meter Size (Inches)</u>	<u>Water Meter Fee*</u>
<u>Neptune</u>	<u>4</u>	<u>\$8,580.00</u>
<u>Neptune</u>	<u>6</u>	<u>\$12,705.00</u>
<u>Neptune</u>	<u>8</u>	<u>\$16,170.00</u>
<u>Neptune</u>	<u>10</u>	<u>\$18,654.00</u>

*Cost of additional appurtenances required for Water Meter installation shall be added to this base fee.

§ ~~27-2.16~~ 2.26. Repair and Protection of Water Pipes and Fixtures; Tampering with or Damaging Meter.

All persons using water users of the Water System shall keep their water pipes and fixtures within their properties and to the curb cock in good repair and protect the same from frost at their own expense. The Curb Valve Box should be kept visible and accessible. The Owner They shall be held liable for all damage and loss which may result from their failure to do so. All water which passes through a Water Meter meter will be charged for, whether used or wasted. Any person who tampers with a meter seal or the meter itself or causes any damage thereto shall liable, upon conviction, to the penalty stated in Chapter 1, § 1-5. Once a Water Meter is installed and correctly operating to the satisfaction of the Utility, repair and replacement of the Water Meter shall be the responsibility of the Utility with the exception that the Customer shall pay for the replacement of all Water Meters that have been tampered with or damaged.

§ 27-2.27. Tampering, Illegal Connection, Theft of Service, Failure to Protect Water Service.

Any Person who tampers with Water Service, including without limit, illegal connections, tampering with the Water Meter, breaking a Water Meter seal or coupling seal, a backwards meter, unauthorized turning on of service after the Water Utility has turned it off, removal of a Water Meter, bypass of a Water Meter, bypass of any required reduced pressure zone, Backflow preventer, failure to protect the Water Service from freezing or to protect the Water Meter from flooding and theft of service by any means shall be subject to criminal prosecution pursuant to the General Penalty provisions of the Revised General Ordinances of the Township of Edison and/or the laws of the State of New Jersey and a fine of \$1,000 for each offense.

The assessment of such fee shall not in any way limit the Utility's rights to pursue additional enforcement of any kind including the assessment of additional fees, fines or penalties, assessment for the cost of Water Meter installation and assessment of estimated past unrecorded consumption during the past six (6) years. The Utility's, failure to enforce a fee or its decision to waive a fee shall not be considered a waiver of Customer's compliance with any term of these rules and regulations and shall not preclude the Utility from any future enforcement rights.

§ ~~27-2.17~~ 2.28. Notification of Defect in Service Pipe; Failure to Remedy

Whenever it shall be found that the service pipe between the Water Meter meter and the curb cock stop is not in serviceable condition, the owner or consumer shall be notified at once the Water Utility shall notify the Owner of the property or the Customer within 24 hours; and should he, she or they such party fail to remedy the defect within a reasonable time seven (7) days from receipt of notification, the water will be shut off and not turned on until the necessary repairs have been made and a charge for shutting off and turning on the water has been paid. If the repair is not made in this time frame the Water and Sewer Utility has the right to make the repair at the expense of the Owner.

§ ~~27-2.18~~ 2.29. Protection of Meters.

~~Consumers~~ Customers shall take all proper precaution to protect the ~~meter~~ Water Meter from any injury, including, but not limited to, injury from tampering, frost, hot water or steam. The Owners of the Premises will be held liable for all damage or loss to the ~~Township~~ Water and Sewer Utility for failure to properly care for and protect the ~~meters~~ Water Meters. ~~Property owners~~ Owners, at their sole cost and expense, shall be required to maintain the ~~meter~~ Water Meter in working order. The Owner and, at the Owner's direction, the occupants of a building or structure with a Water Meter located inside the building or structure are required to keep the Water Meter and its associated valves and appurtenances easily accessible for inspection, reading, and service including for the replacement of the Water Meter, which requires enough room for the use of long wrenches and other tools. The Owner and, at the Owner's direction, the occupants of a building or structure with a Water Meter located inside the building or structure are required to keep the area where the Water Meter is located free from water, flooding, and moisture from condensation, seepage through foundation walls and other sources. If the Water Meter is located in a pit or vault outside of the building or structure, the Owner and at the Owner's direction the occupants are required to keep the meter pit/vault accessible and the pit/vault's lid free from storm water runoff and snow.

§ 27-2.19 ~~2.30~~. Defective Meters; Testing of Meters.

In case of damage to a ~~meter~~ Water Meter or the failure to register properly, the ~~Customer~~ consumer or ~~owner~~ Owner shall notify the Director of the ~~Department of Water and Sewer~~ at once immediately in order that the ~~meter~~ Water Meter may be repaired or replaced by the Water and Sewer Utility with a fully functioning, an accurate one Water Meter meter. The cost for the Water Meter and installation thereof may be charged to the Customer. The charges for water during such period will be on the basis of ordinary use under similar conditions before the ~~meter~~ Water Meter became defective. The ~~consumer or owner~~ Customer shall fully cooperate with the Department of Water and Sewer Water and Sewer Utility in granting access to the meter Water Meter for replacement. The failure to cooperate or preventing the replacement of a damaged ~~meter~~ Water Meter will result in water service being shut off until such ~~meter~~ Water Meter is replaced. The ~~Department of Water and Sewer~~ Water and Sewer Utility will inspect and test any ~~meter~~ Water Meter owned by the ~~Department of Water and Sewer~~ Water and Sewer Utility when requested to do so by the Customer. If such inspection and test proves the accuracy of the ~~meter~~ Water Meter, there shall be a charge to the person requesting the test as follows:

Type	Charge
3/4" x 5/8" disc	\$15
Straight 5/8" disc	\$15
Straight 3/4" disc	\$15
1" disc	\$20
1 1/2" disc	\$35
2" disc	\$35
2" turbine	\$35
3" disc	\$150
3" Turbine	\$150
3" compound	\$175
4" Turbine	\$175
4" compound	\$175

6" turbine	\$175
6" compound	\$200
8" turbine	\$175
8" compound	\$175
10" turbine	\$175
10" compound	\$175
<u>Accuracy Test for 5/8 inch meter</u>	<u>\$25</u>
<u>Certification Tests for 5/8 inch meter</u>	<u>\$30</u>
<u>Accuracy Test for ¾ inch meter</u>	<u>\$25</u>
<u>Certification Tests for ¾ inch meter</u>	<u>\$35</u>
<u>Accuracy Test for 1 inch Meter</u>	<u>\$25</u>
<u>Certification test for 1 inch Meter</u>	<u>\$45</u>
<u>Accuracy/Certification Tests for Meter 1-1/2 & 2 inch</u>	<u>\$75</u>
<u>Certification Tests for PD, Compound & Turbine Meter 3 inch & larger</u>	<u>\$400</u>
<u>Field Test – all sizes</u>	<u>\$400 plus travel expenses</u>
<u>Well Meter Field Test – all sizes</u>	<u>\$400 plus travel expenses</u>
<u>Appraisals, Inspections & Waiting Time</u>	<u>\$200</u>
<u>Minimum Half Day Charge (as applicable)</u>	<u>\$800</u>
<u>Minimum Full Day Charge (as applicable)</u>	<u>\$1,600</u>

§ 27-2.31. Responsibility of Owner to report Damaged/ Broken/ Missing Water Meter

Owner shall immediately notify the Utility upon learning of any stoppage or other irregularity of Owner's Water Meter or any leak in Owner's Water Service between the Water Meter and the Water Main. It shall be the duty of the Owner of any Premises required to be metered for water in which there is no approved Water Meter to report such fact to the Utility. Where a Water Meter has been stolen the Owner shall furnish a police report to the Utility in order to receive a replacement Water Meter. All meter fees shall be paid before a replacement Water Meter is issued.

§ 27-2.32. Vacant Buildings; Owners to Notify Director.

- a. No building, structure or Premises shall be abandoned, wrecked, destroyed or demolished without first giving notification to the Director in order that the Water Service may be cut and capped and the Water Meter read and recovered. Owners of vacant buildings must give notice, in writing, of such vacancy within seventy-two (72) hours of vacancy, to the Director of the Department of Water and Sewer so that the water may be turned off. Failure to do so shall result in continued billing for services

~~and fees.~~

b. No rebate shall be allowed for metered vacant Premises. Owners shall be held responsible for all charges accruing for Water Service, until written notice has been given to the Director to discontinue the water supply, the Water Service has been cut and capped, the Water Meter is returned to the Utility, and the Owner has paid all amounts owed including the cost of cutting and capping the Water Service.

1) If all attempts have been made to collect payment and the Customer remains delinquent, an employee of the Utility will be sent to the property to post a notice that shut-off procedures will begin in fifteen (15) calendar days unless there is Customer contact or payment.

2) If there is no response at the end of the fifteen (15) calendar days, the Utility or its designee will remove the Water Meter and cut and cap the Water Service Line in addition to the regular shut-off procedures.

3) If the property is abandoned or boarded up, and every attempt has been made to collect the outstanding debt, the account will be subject to the Township's Lien Sale process.

§ 27-2.33. Notice to Discontinue Service.

Any consumer wishing to discontinue ~~water from the Township's water supply system~~ service from the Water and Sewer Utility must give notice thereof, in writing, to the Director ~~of the Department of Water and Sewer. He or she will~~ The Customer shall be charged for ~~the use of water~~ Water Service and fees until such notice is given, when the water will be shut off.

§ 27-2.34. Responsibility for Water Service Charges.

All charges in connection with the ~~water supply~~ Water System are made against the ~~owner~~ Owner of the ~~premises~~ Premises where the water is used, and all bills will be so made out. All water rents or other fees and expenses incurred by the installation of service, or fines imposed, are a lien on the property, and ~~owners~~ Owners are made responsible for any delinquency in the matter of payments by tenants or others.

§ 27-2.35. Rates.

The following schedule of rates shall apply for the use of water:

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	\$18.66 <u>29.14</u>

1	3,000	\$ 84.22 <u>131.50</u>
1 1/2	5,000	\$ 140.37 <u>219.16</u>
2	8,000	\$ 224.58 <u>350.62</u>
3	18,000	\$ 467.55 <u>729.96</u>
4	30,000	\$ 747.79 <u>1,167.48</u>
6	57,000	\$ 1,378.34 <u>2,151.93</u>
8	90,000	\$ 2,148.99 <u>3,355.11</u>
10	120,000	\$ 2,849.58 <u>4,448.91</u>
12	170,000	\$ 4,017.24 <u>6,271.90</u>

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

Rate

~~\$23.15~~ 72.27 per thousand cubic feet

c. For fire protection, the Department of Water and Sewer shall be paid an annual charge of ~~\$424.37~~ 662.55 per fire hydrant on private property.

d. Fire line service.

1. There shall be a charge for metered ~~fire~~ Fire Service line ~~service~~ 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	\$ 129.64 <u>202.39</u>
4	\$ 467.45 <u>729.81</u>
6	\$ 839.58 <u>1,310.79</u>
8	\$ 1,261.20 <u>1,969.05</u>
10	\$ 1,680.99 <u>2,624.43</u>
12	\$ 2,100.77 <u>3,279.84</u>

2. There shall be a quarterly charge for metered ~~fire line service~~ 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	\$ 630.60 <u>984.52</u>
6	\$ 1,050.39 <u>1,639.91</u>
8	\$ 1,680.99 <u>2,624.43</u>
10	\$ 2,284.09 <u>3,566.02</u>

12	\$2,740.54 4,278.66
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- e. For installation of meter with remote read-out register (~~residential~~), the charge shall be ~~\$42~~ the cost of the meter and touch pad, plus 10%.
- f. ~~The rates charged to any resident of the Township, who shall have attained the age of 65 years old, on their primary residence in accordance with Subsections a and b above, who shall have attained the age of 65 years old and registered with the Township's Tax Office as a senior citizen, shall be those rates in effect for the calendar year 1996 in which they registered as a senior with the Township, hereinafter the "Registration Year". In order to be eligible for the senior citizen rate for any year, the resident must have obtained attained the age of 65 as of January 1 of that year. The resident must and notify the Edison Division of Water Supply Township's Tax Office prior to January 1 of the Registration Year to be eligible for the billing year beginning July 1. The rates charged to any resident of the Township on their primary residence, in accordance with Subsections a and b above, registered as a senior citizen with the Township Tax Office as of July 15, 2020, shall be those rates in effect for the calendar year 1996.~~

§ 27-2.36. Connection Fees.

(1) The initial fees for the right to connect to the Water System shall include a connection fee or charge per unit for the cost of connection as set forth herein. These fees shall apply to all connections whether direct, indirect, separate or shared.

(2) For each new unit, whether created by new construction or conversion or addition to an existing structure or change of use, there is established a water connection fee as set forth herein. For units involving new construction, the connection fees, charges or costs shall be paid before the connection is made; inspection fees shall be estimated and adjusted upon completion. Changes that increase the total number of units shall pay additional connection charges for each unit prior to the issuance of a Construction Code Permit in accordance with the schedule herein. Each residential unit shall be charged for each single family living accommodation or dwelling unit per connection. From and after July 15, 2020, a customer seeking to connect to the Water System for the first time or to enlarge an existing connection shall pay the following connection fee: \$1,369.81 per Equivalent Dwelling Unit ("EDU"). An EDU is defined as 300 gallons per day. For meters larger than 5/8-inch, the connection fee shall be determined by the number of EDUs that the larger meter represents times the connection fee for one EDU. The number of EDUs that meters larger than 5/8-inch represent is determined by the ratio of the average flow of the larger meter in the Water System to the average flow of an EDU as calculated in accordance with N.J.A.C. 7:14A-23.²

² This calculation shall be automatically adjusted in accordance with any amendments to N.J.A.C. 7:14A-23.

(3) Connection fees, which are one-time initial service charges for the right to connect to the Water System, are deemed an integral part of the Utility's rate schedule.

(4) Should the foregoing connection fees create a hardship, application can be made to the Director for a time payment.

§ 27-2.37. Tapping Fees.

In instances where a Water Service Line must be installed from the Water Main, or other location, to the curb and/or a curb shutoff box installed, the Applicant shall be charged 125% of the Water and Sewer Utility's total actual cost of the installation plus the cost of the Water Meter. If this work is performed by the Applicant or its agent in accordance with § 27-2.7, an inspection fee of \$110, per inspection hour, with a minimum of two hours, shall be applied. When water and sewer lines are run at the same time, only one minimum for inspection shall be applied.

Main Size (inches)	Tap Size (inches)	Water Tapping Fee
<u>Any</u>	<u>3/4</u>	<u>\$400.00</u>
<u>Any</u>	<u>1</u>	<u>\$425.00</u>
<u>Any</u>	<u>1 1/2</u>	<u>\$550.00</u>
<u>Any</u>	<u>2</u>	<u>\$630.00</u>
<u>6</u>	<u>4</u>	<u>\$1,115.00</u>
<u>8</u>	<u>4-6</u>	<u>\$1,145.00</u>
<u>10</u>	<u>4-8</u>	<u>\$1,315.00</u>
<u>12</u>	<u>4-10</u>	<u>\$1,345.00</u>
<u>16</u>	<u>4-12</u>	<u>\$1,415.00</u>
<u>20</u>	<u>4-12</u>	<u>\$1,545.00</u>
<u>24</u>	<u>4-12</u>	<u>\$1,880.00</u>

§ 27-2-38. Estimation of Consumption

Whenever there is reasonable evidence Water Meter readings are inaccurate for any reason or are unable to attain a true reading due to lack of a touch pad or inability to gain access to any Premises housing a Water Meter, the Utility may estimate the actual consumption during the period of reading cycle. If the Utility replaces an inaccurate Water Meter with a new or reconditioned Water Meter, the average monthly consumption for the period of estimation shall be based upon the average monthly consumption for twelve months of which at least two months are measured by the new or reconditioned meter and the remaining months by the replaced meter during a period when the Utility determines the replaced meter to have been reading accurately. If there was a change in use or other mitigating circumstance that prevents using the above procedure, the Utility shall use any

reasonable method for the particular circumstances to estimate the consumption for the period of inaccurate readings.

§ 27-2.39. Miscellaneous fees.

The following fees shall be established for inspections, equipment, permits or other such service provided by the Utility:

<u>Water use at construction site</u>	<u>\$0.50 per 1,000 C.F. and \$5000 deposit for temporary meter/Backflow</u>
<u>Flushing, clearing and performance of operational flow tests on hydrants located on private property</u>	<u>\$200.00 per hydrant, per quarter</u>
<u>Water Meter test</u>	<u>\$100.00</u>
<u>Water charge search fee</u>	<u>\$10.00</u>
<u>Return check fee</u>	<u>\$25.00</u>
<u>Water shut-off fee</u>	
<u>Monday through Friday between 8:00 A.M. and 3:30 P.M.</u>	<u>\$50.00</u>
<u>Saturday and Sunday between 7:00 A.M. and 3:30 P.M. and Monday through Friday between 3:30 P.M. and 7:00 A.M.</u>	<u>\$100.00</u>
<u>Account transfer fee</u>	<u>\$10.00</u>
<u>Water activation (turn-on) fee</u>	<u>Residential \$25.00</u> <u>Commercial \$75.00</u>
<u>Monday through Friday between 7:00 A.M. and 3:30 P.M.</u>	
<u>Saturday and Sunday between 7:00 A.M. and 3:30 P.M. and Monday through Friday between 3:30 P.M. and 7:00 A.M.</u>	<u>Residential \$50.00</u> <u>Commercial \$150.00</u>
<u>Water services application fee for new or changed water services</u>	<u>For Water Service Lines less than 2-inches: None.</u> <u>ii. For Water Service Lines 2-inches or larger: \$50 per EDU.</u> <u>The number of EDUs a Water Service Line size represents is set forth in the table of connection fees herein</u>

Additional "final" Water Meter readings \$25.00 per reading
(Applicable to each additional meter reading after
initial "final" reading is requested and performed)

Water Meter, Fittings, Valve Boxes and Other Parts Cost Plus 15%

§ 27-2.40. Time for Payment.

All water rents are due and payable at the office of the ~~Department of Water and Sewer~~ Utility quarterly, on the first day of each quarter, for users with consumption under 200,000 cubic feet per quarter. For all users with normal or estimated use in excess of 200,000 cubic feet per quarter, such bills shall be due and payable monthly. ~~The Township does not guarantee the delivery of water bills. The owner is required to call at the office of the Department of Water and Sewer and pay or tender the amount due, whether the bill is received or not.~~ Customers are responsible for payment due to the Water and Sewer Utility regardless of the receipt of water bills. If a bill is not received, Customers are required to call the office of the Water and Sewer Utility and pay or tender the amount due.

§ 27-2.41. Penalties for Delinquent Payments.

~~A penalty of 8% will be added to all bills not paid within 30 days. The water will be shut off if bills remain unpaid 60 days after they become due, after five days' notice has been previously given, and will not be turned on again until all charges, including \$15 for shutting off and turning on the water, are paid.~~

Any such sum of money due to the Water and Sewer Utility for any such rates, rentals and service charges shall bear interest at the rate of 18% per annum to be computed from the date when said sum shall be due and payable until the date of actual payment, and, until paid, shall remain a lien upon the Premises in respect to which they are imposed as provided by law. No interest shall be charged if payment is made within thirty (30) calendar days following the billing date or before the tenth (10th) calendar day following the date upon which the same became payable, whichever is later.

§ 27-2.42. Water Emergencies.

In case of emergency occasioned by drought or other shortage or stoppage of water supply as determined by the Director, the ~~Department of Water and Sewer~~ Water Utility may adopt necessary temporary measures ~~or including restriction~~ restrictions on the use of water and conservation. After public notice has been given and until the restrictions have been lifted, any person or corporation violating the provisions of this section shall be subject to criminal prosecution pursuant to the General Penalty provisions of the Revised General Ordinances of the Township of Edison and/or the laws of the State of New Jersey upon conviction for violation thereof, to the penalty stated in Chapter 1, § 1-5. Continuing violations will subject the Person or corporation committing the same to a discontinuance of water supply during the period of the emergency.

§ 27-2.43. Backflow Protective Devices Required in Cases of Cross-Connections.

When a ~~cross-connection~~ Cross-Connection exists between the public water supply and an unapproved water supply, a Backflow protective device with

Double Check Valve must be installed to prevent unapproved water from mixing with the public water supply.

§ 27-3. through § 27-5. (RESERVED)

§ 27-6. SEWER REGULATIONS.

§ 27-6.1. Definitions. [1999 Code § 13.08.010], amended

-20 by Ord. No. _____] As used in this section:

BUILDING (HOUSE) SANITARY DRAIN — Means ~~that part of~~ the lowest piping in the building of a sanitary drainage system which that receives the discharge from soil, waste and other drainage pipes ~~inside the walls of drain stacks, horizontal branch drains and fixture drains within~~ the building and conveys ~~it~~ the sewage to the building ~~(house) sanitary sewer beginning which begins five (5) three (3)~~ feet outside the building wall.

BUILDING (HOUSE) SANITARY SEWER — Means that part of the ~~horizontal piping of a drainage system building sanitary drainage system~~ which extends from the end of the building ~~(house) sanitary drain and which receives the discharge of the building (house) drain and~~ conveys it to a public sanitary sewer. The Building Sanitary Sewer begins at a point three (3) feet outside the building wall and extends to the property line.

BUILDING PUBLIC SEWER LATERAL – Means the Sewer Utility owned sewer lateral pipe which extends from the Main Sewer to the Building Sanitary Sewer or to the property line. The Sewer Lateral is generally located within a public Right of Way or public easement. The Lateral shall include a vertical cleanout riser and cap which shall be owned by the Sewer Utility.

PUBLIC SEWER (Utility Owned) – Means the Utility Owned sanitary sewer located in the public right of way or public easement.

HOUSE — Means any building.

§ 27-6.2. Connections to Available Sewers Required. [1999 Code § 13.08.020]

- a. All owners of property along the line of any sewers constructed for the purpose of carrying off sewage matter in any of the streets of the Township shall connect their houses and other buildings with the sewer in the street adjoining the property.
- b. Where sanitary sewers are not available, septic tanks may be used subject to the issuance by the Plumbing Inspector of a permit therefor, pursuant to the terms of the Uniform Construction Code.
- c. As soon as sanitary sewers are available for connection, septic tanks or other existing structures or pits shall be abandoned, emptied, cleaned and disinfected and filled or covered with fresh earth.

§ 27-6.3. Failure to Make Connection. [1999 Code § 13.08.030, amended
-20 by Ord. No. _____]

Any owner of property who fails to make such connection to an available sanitary sewer within thirty (30) days after due notification by the ~~Township~~ Director shall, upon conviction thereof, be punishable as provided in subsection 27-6.8, and each and every day after the thirty (30) days in which he or she shall fail to comply with the provisions of this section and of the notice shall constitute a separate offense.

§ 27-6.4. Material Specifications. [1999 Code § 13.08.040, as amended _____ - 20 by Ord. No. _____]

All materials used in the installation of building (house) sanitary sewers in the Township shall conform to one (1) of the following specifications: the New Jersey Plumbing Code. The Public Sewer Lateral shall be constructed with PVC Plastic Sewer Pipe ASTM-3034 SDR 26.

- a. ~~Cast iron sewer pipe and fittings, ASTM designation A74-1942, extra heavy weight;~~
- b. ~~Vitrified clay sewer pipe and fittings:~~
 - 1. ~~Standard strength conforming to ASTM designation C13-49T for up to ten (10) feet in depth,~~
 - 2. ~~Extra strength conforming to ASTM designation C20044T in depths over ten (10) feet;~~
- c. ~~Asbestos cement sewer pipe, not more than seven (7) feet in length, and fittings:~~
 - 1. ~~Federal Specifications SS P 351 (1940) except for such substitutions approved by the National Plumbing Code,~~
 - 2. ~~Fittings. Changes in direction in the piping shall be made by the appropriate use of forty five degree Y's, long sweep, quarter bends, sixth, eighth or sixteenth bends or by a combination of these or equivalent fittings. No fitting having a hub in the direction opposite to flow, nor a T branch, shall be used.~~

§ 27-6.5. Joints. [1999 Code § 13.08.050]

~~The joints in any or all of the above types shall be watertight and rootproof and shall be made of lead or an approved sulphur compound for cast iron pipe and of bituminous joint material (hot poured) for vitrified clay pipe; sleeve couplings shall be of standard manufacture as furnished with the asbestos cement pipe. Reserved.~~

§ 27-6.6. Minimum Size of Sewers. [1999 Code § 13.08.060, as amended by Ordinance No. _____]

The minimum size of a building (house) sanitary sewer and public sanitary lateral shall be four (4) inches in internal diameter for single family residential, except that the sizes in all cases shall conform with the schedule in the Uniform Construction Code where pipes of larger sizes are required. For Commercial properties the minimum size sanitary lateral shall be six (6) inches in diameter. The minimum size public sewer shall be eight (8) inches in diameter.

§ 27-6.7. Laying of Sewers. [1999 Code § 13.08.070]

- a. ~~Building (house) sewers must be run in as direct a line as possible to the Y-connection in the main sewer.~~
- b. ~~Building (house) sewers shall be laid not less than three (3) feet from the surface of the ground, and no line shall be laid within three (3) feet of the wall of any building or party line. Building (house) sewers may be placed in the same trench with the water service pipe, provided that the bottom of the water service pipe at all points shall be at least twelve (12) inches above the~~

~~top of the sewer line at its highest point and that the water service pipe is placed on a solid shelf excavated at one (1) side of the common trench. Building (house) sewers, when laid in unstable soil conditions, shall be of extra heavy cast iron pipe.~~

- ~~e. Building (house) sewers shall be laid with a fall of not less than one-eighth (1/8) inch per foot, or, if pipe with a larger diameter than the minimum is required, the grade shall be such as to provide a velocity of not less than two (2) feet per second. Each length of sewer pipe shall have a solid bearing, and grooves shall be cut in the bottom of the trench to receive the bells or sleeves.~~
- ~~d. Old house sewers may be used in connection with a new building or new plumbing only when they conform to the requirements governing new sewers.~~
- ~~e. No building (house) sewer shall be covered over or backfilled until it shall have been inspected and approved by the Director.~~
- f. ~~The plumbing of every building shall be separately and independently connected with the sanitary sewer when such is accessible, except that in the case of a building in the rear of a lot, in front of which there is another building, or in the case of a building which does not have access to a sewer over its own premises, the plumbing may be connected to the building (house) sewer which serves another building.~~ **Reserved.**

§ 27-6.8. Violations; Penalties. 11999 Code § 13.08.080; New, as amended by Ordinance No. -20]

Any person who fails to comply with or who violates or who offends against any provision of this section or any section thereof shall, upon conviction thereof, be subject to criminal prosecution pursuant to the General Penalty provisions of the Revised General Ordinances of the Township of Edison and/or the laws of the State of New Jersey liable to the penalty stated in Chapter I, Section 1-5 and each day during which a violation of this article is allowed to exist shall constitute a separate and distinct offense.

§ 27-7. SEWER USE REGULATIONS.

§ 27-7.1. Applicability; Right of Appeal. 11999 Code § 13.08.090, as amended by Ordinance No. -20]

a. These regulations govern the use of the Township sanitary sewer system (hereinafter referred to as the "sewer system") and are applicable to all existing and future users of the sewer system. These regulations cover the use of the sewer system and charges for sanitary sewer services provided by the Township Water and Sewer Utility. All new users of the sewer system must also comply with regulations for connection to the sewer system and charges therefor. Every person who uses the sewer system shall be under the supervision of the Water and Sewer Utility and the following regulations shall be considered a part of any contract, ordinance or

statute with every person who uses the sewer system, and the fact of using the sewer system shall be considered as expressing assent on the part of the user to be bound thereby.

- b. Any user or potential user of the sewer system shall have the right to appeal any provision of these regulations to the Municipal Council of the Township or an appeals board that it may designate.

§ 27-7.2. Definitions. 11999 Code § 13.08.100; Ord. No. O.1905-2015§ 4, as amended by Ord. - 20]

As used in this section:

ACT – Means the The Federal Water Pollution Control Act, also known as the Clean Water Act as amended, 33 U.S.C. 1251 etseq

BIOCHEMICAL OXYGEN DEMAND OR BOD – Mean the quantity of dissolved Oxygen in milligrams per liter (mg/l. required during stabilization of decomposable organic matter by aerobic biochemical action as determined by analytical procedures set forth in 40 CFR Part 136.

CHLORINE DEMAND - Mean the quantity of chlorine absorbed by a wastewater in a given length of time to a specific residual concentration, expressed in milligrams per liter.

DOMESTIC WASTE – Means any liquid waste containing animal or vegetable matter in suspension or solution of the water carried wastes resulting from the discharge of water closets, laundry tubs, washing machines, sinks, dishwashers, or any other source of water-carried waste of human origin or containing putrescible material.

ENVIRONMENTAL PROTECTION AGENCY OF EPA – means the U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.

FLOTABLE OIL - Means the oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.

HAZARDOUS POLLUTANT – Means

- (A) Any toxic pollutant,
- (B) Any substance regulated as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act, Pub.L 92-516 (7 u.s.c. 136 etseq.),
- (C) Any substance the use or manufacture of which is prohibited under the federal Toxic Substances Control Act, Pub.L. 94-469 (15 U.S.C. 2601 etseq.),
- (D) Any substance identified as a known carcinogen by the International Agency for Research on Cancer

INDUSTRIAL WASTES — Means any solid, liquid or gaseous substance discharged, permitted to flow or escaping in the course of any industrial, manufacturing, trade or business process or in the course of the development, recovery or processing of natural resources, as distinct from normal sewage.

INDUSTRY – Means any establishment whose manufacturing process is included in the standard industrial classification (SIC) codes.

~~MAIN — Means Township owned or leased piping and appurtenances in or along public rights of way or easements owned by the Township for the collection of sewage and transmission of sewage to treatment facilities.~~

~~MCSA MCUA — Means Middlesex County Sewerage Utilities Authority.~~

~~NJDEP — Means New Jersey Department of Environmental Protection.~~

~~NORMAL SEWAGE — Means sewage with a maximum:~~

~~a. — Five day biochemical oxygen demand of two hundred (200) milligrams per liter;~~

~~b. — Suspended solids content of two hundred forty (240) milligrams per liter;~~

~~Chlorine demand of fifteen (15) milligrams per liter.~~

~~NON-DOMESTIC WASTEWATER – Means water which does not meet the definition of Domestic Waste (i.e., groundwater, leachate, process).~~

~~SEWER MAIN — Means Township-owned or -leased piping and appurtenances in or along public rights-of-way or easements owned by the Township for the collection of sewage and transmission of sewage to treatment facilities.~~

~~SIGNIFICANT INDUSTRIAL USER OR SIU –The term Significant Industrial User means:~~

~~(A) A user subject to categorical pretreatment standards, or~~

~~(B) A non-domestic user that meets any of the following criteria:~~

~~(1) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the MCUA (excluding sanitary, noncontact cooling, and boiler blowdown wastewater), or~~

~~(2) The amount of BOD, COD or Suspended Solids (TSS) in the discharge exceeds the mass equivalent of 25,000 gallons per day of domestic waste as per the following table:~~

	<u>Flow Parameter (MGD)</u>	<u>Concentration (mg/L)</u>	<u>Loading per day</u>	
			<u>(Kg)</u>	<u>(lb)</u>
<u>BOD (5 day)</u>	<u>0.025</u>	<u>200</u>	<u>18.9</u>	<u>41.7</u>
<u>COD</u>	<u>0.025</u>	<u>500</u>	<u>47.3</u>	<u>104.3</u>
<u>TSS</u>	<u>0.025</u>	<u>250</u>	<u>23.7</u>	<u>52.2</u>

~~SEWAGE — Means the combination of water-carried wastes from residences, businesses, industries and other buildings, institutions and factories.~~

~~SIGNIFICANT INDUSTRIAL USER, or SIU — Means all users who discharge sewage of particular characteristics or flow in excess of one (1) or more of the following threshold amounts:~~

- ~~1. Total sewage flow (flow). Flow of sewage in excess of twenty five thousand (25,000) gallons per day.~~
- ~~0. Biochemical oxygen demand (BOD) present in sewage. BOD in excess of fifty three pounds per day; or,~~
- ~~1. Suspended solids (SS) present in sewage. SS in excess of forty two (42) pounds per day.~~

~~UNPOLLUTED WATER OR LIQUIDS — Means any water or liquid containing none of the following:~~

- ~~a. Emulsified grease or oil;~~
- ~~b. Substance that may impart taste, odor or color;~~
- ~~c. Odorous or otherwise obnoxious gases;~~
- ~~d. Total dissolved solids in excess of one thousand (1,000) milligrams per liter;~~
- ~~e. Suspended solids in excess of five (5) milligrams per liter;~~
- ~~f. A biochemical oxygen demand (BOD) in excess of five (5) milligrams per liter;~~
- ~~g. A pH below six point zero (6.0) or greater than nine point zero (9.0);~~
- ~~h. Any substance prohibited by Federal or State law or regulations from being discharged directly into any stream or other body of water, including but not limited to any substance classified as being toxic.~~

~~USEPA — Means United States Environmental Protection Agency.~~

TOTAL SUSPENDED SOLIDS or TSS – Mean the total non-filterable residue as determined by analytical procedures set forth in 40CFR Part 136.

USER — Means the person applying for use of or continuing to use the sewer system, whether owner or tenant, and who enters into an agreement therefor.

~~§ 27-7.3. Prohibition of Inflow Sources. [1999 Code § 13.08.110]~~

~~No roof drainage, cellar drainage, unpolluted industrial process water, surface water, waste from hydrants or groundwater from underground drainage fields shall be admitted or be permitted to drain into the sewer system. The sewer system is intended to convey sanitary sewage and acceptable industrial wastes only.~~
Reserved.

~~§ 27-7.4. Construction Requirements for Building Sewer. [1999 Code § 13.08.120, as amended by Ord. _____ -20]~~

- a. Owners or their agents, employees or independent contractors may do excavation, ditch preparation and plumbing work involved in the construction of a building sanitary sewer and the connection of a building sewer to a service lateral ~~or sewer main~~ upon receipt of the connection permit and subject to compliance with Township standards, applicable codes and inspection requirements.
- b. All contractors, before performing any work involving the construction of a building sewer or the connection of a building sewer to a service lateral or

sewer main shall register with the Township's authorized agent, giving his or her name, business and home address, telephone numbers and the amount of and nature of his or her experience.

§ 27-7.5. Reserved Industrial Wastes; Approval Required. [1999 Code § 13.08.130, A, as amended by Ord No. _____-20]

~~Admission of Industrial Wastes into the Sewer System.~~

~~a. Approval Required for Industrial Wastes. The discharge into the sanitary sewer system of industrial wastes having any of the following characteristics shall be subject to prior review by and approval of the Township Water and Sewer Utility:~~

- ~~1. A five-day BOD greater than two hundred (200) milligrams per liter;~~
- ~~2. A suspended solids content greater than two hundred forty (240) milligrams per liter;~~
- ~~3. A chlorine demand greater than fifteen (15) milligrams per liter;~~
- ~~4. Any quantity of substance possessing characteristics described as prohibited wastes.~~

~~b. Preliminary Treatment and Handling of Industrial Wastes. Whenever necessary in the opinion of the Water and Sewer Utility Township Engineer, the owner of improved property shall, prior to discharge of industrial wastes into the sewer system, provide, at his or her expense, such facilities for preliminary treatment and handling of industrial wastes as may be necessary to:~~

- ~~1. Remove any toxic substance as designated by the USEPA or any substances which cannot be properly treated by the MCSA MCUA;~~
- ~~2. Reduce BOD to two hundred (200) milligrams per liter, suspended solids to two hundred forty (240) milligrams per liter, and chlorine demand to fifteen (15) milligrams per liter, by weight;~~
- ~~3. Reduce objectionable characteristics or constituents to come within the maximum limits permitted in this section;~~
- ~~4. Control the quantities and rates of discharge over a twenty four (24) hour day and a seven-day week.~~

~~e. Requirements for Industrial Facilities.~~

- ~~1. Plans, specifications and any other pertinent information relating to proposed facilities for preliminary treatment and handling of industrial wastes shall be submitted for approval of the Township Water and Sewer Utility, and no construction of any such facility shall be commenced until approval thereof first shall have been obtained, in writing, from the Township Water and Sewer Utility, and until approval thereof first shall have been obtained from any governmental regulatory body having jurisdiction, including MCUA.~~
- ~~2. Whenever facilities for preliminary treatment and handling of industrial wastes shall have been provided by the owner of such improved property, such facilities shall be maintained continuously, at the expenses of the owner, in satisfactory operating condition and the Township shall have access to such facilities at reasonable times for purposes of inspection and testing.~~

§ 27-7.6. Prohibited Wastes. [1999 Code § 13.08.130, B, amended by Ord. No. _____-20]

- a. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial or unpolluted commercial process water into any sewer. Any person found discharge or cause the discharge of the above listed prohibited items into any sewer shall be fined \$1,000.00. Such fines and penalties shall be enforceable by the Township in any court of competent jurisdiction, and shall be collected as provided by this Code or applicable law.
- b. Except as otherwise provided in this article, no person shall discharge or cause to be discharged any of the following described wastes or waters into the sanitary sewer system:
1. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150° F);
 2. Any water or waste containing more than one hundred (100) milligrams per liter of fats, oils or greases;
 3. Any gasoline, benzine, naphtha, fuel oil or other flammable or explosive liquid, solid or gas which, by reason of its nature or quality, may cause fire or explosion or which, in any other way, may be injurious to persons or the sanitary sewer system or the sewage treatment facilities;
 4. Any noxious or malodorous gas or substance which, whether singly or by interaction with other wastes, shall be capable of creating a public nuisance or hazard to life or of preventing entry into any sewer or the sewage treatment plant for maintenance and repair;
 5. Any garbage, except properly shredded or ground garbage;
 6. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, bones, feathers, tar, plastic, wood, paunch manure, butchers offal or any other solid or viscous substance which shall be capable of causing obstruction to the flow in any sewer or other interference with the proper operation of the sanitary sewer system or the sewage treatment facilities;
 7. Any water or waste having a pH lower than six point zero (6.0) or higher than nine point zero (9.0) or having any corrosive property capable of causing damage or hazard to structures or equipment of the sanitary sewer system or the sewage treatment facilities or to personnel engaged in operation and maintenance thereof;
 8. Any water or waste containing any toxic substance in quantity sufficient to:
 - (a) Constitute a hazard to humans or animals, or
 - (b) Interfere with the biochemical processes of the ~~MCSA~~ MCUA sewage treatment facilities, or

(c) Exceed State, Federal or other validly existing requirements for the receiving stream;

9. Any water or waste containing suspended solids of such character that unusual attention or expense shall be required to handle such water or waste at the ~~MCSA~~ MCUA sewage treatment facilities;

10. Any radioactive isotopes, except by special permission by the ~~Township~~ Water and Sewer Utility;

11. Any drainage from building construction.

c. Oil and Grease Interceptors.

1. Gas stations and garages are required to provide oil interceptors, ~~of the types Series GA, GX, GNC, GRC, of Josam Manufacturing Company, Michigan City, Indiana, or equivalent,~~ in an approved location, where the dangerous liquids are to be intercepted.

2. Restaurants or other commercial establishments, ~~when directed,~~ shall be required to provide grease interceptors ~~of the type Series J, of the Josam Manufacturing Company or equivalent.~~

(a) Grease traps shall be provided when the Director ~~of Public Works~~ or designee determines that they are necessary for proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients except that such grease trap shall not be required for private dwellings. All of the traps shall be located so that they are readily and easily accessible for cleaning and inspection. The grease traps shall be continuously maintained in order to provide satisfactory and effective operation by the owner, at the owner's expense. There shall be no bypass of the grease trap facilities which would allow the entry of untreated or partially treated wastes to the public sewer system. All copies of invoices from grease trap service and/or cleanings shall be sent to the Director.

(b) All retail food establishments, commercial food processors, meat processors or similar food preparers shall be required to pre-treat their discharge with an approved bacteriological product to control and eliminate the introduction of grease into the sewer system.

(c) The bacteriological product must be free of wetting agents, additives and reducing agents, enzymes, solvents or chemical de-greasers and must be approved by the Director ~~of Public Works for use by the Director of Public Works~~ or designee prior to application and/or installation of equipment. The bacteria shall be introduced into the system after closing or during the period of time that there is the least amount of business activity, once during every twenty-four hour period, or as directed by the Director ~~of Public Works~~ or his designee.

- d. Nothing contained in this section shall be construed as prohibiting any special agreement between the Township and any person whereby industrial wastes of unusual strength or character may be admitted into the sewer system by the Township, either before or after preliminary treatment.

§ 27-7.7. Reserved Requirements for Discharge of Industrial Waste. [1999 Code § 13.08.140]

~~a. Required Survey Data. All sewer system users presently discharging industrial wastes into the sewer system or any person desiring to make a connection to the sanitary sewer system through which industrial wastes shall be discharged into the sanitary sewer system shall file with the Township an industrial wastes questionnaire, to be furnished by the Township, which shall supply pertinent data, including estimated quantity of flow, to the Township with respect to industrial wastes proposed to be discharged into the sewer system.~~

~~b. Control Moles Manholes.~~

~~1. Any person who is or shall in the future discharge industrial wastes into the sanitary sewer system, when required by the Township, shall construct in accordance with Township requirements and thereafter shall properly maintain, at his or her expense, a suitable control manhole or other device acceptable to the Township to facilitate observation, measurement and sampling by the Township.~~

~~2. Any such control manhole or device, when required by the Township, shall be constructed at an accessible, safe, suitable and satisfactory location in accordance with plans approved by the Township prior to commencement of construction.~~

~~e. Sewage Sampling.~~

~~1. Industrial wastes being discharged into the sewer system shall be subject to periodic sampling, inspection and determination of character and concentration. Such sampling, inspection and determination shall be made by the Township as frequently as may be deemed necessary. Representative samples for a full working day shall be obtained by taking hourly samples and compositing them in accordance with the flow at the time of sampling. Sewage sampling facilities shall be accessible to the Township at all times. Due care shall be exercised in the collection of all samples to ensure preservation thereof in as nearly the natural state as possible, including refrigeration of all samples which are intended for analysis by biochemical methods.~~

~~2. A grab sample (once per day) may be taken in lieu of the above if, in the opinion of the Township Engineer, it will be representative of the user's daily flow.~~

~~d. Analysis.~~

~~1. The Township shall be responsible for analysis of samples of industrial wastes.~~

~~2. Laboratory methods used in the analysis of samples of industrial wastes shall be those set forth in the latest edition of Standard Methods for the Examination of Water and Sewage, as published by the American Public Health Association, and/or any method required by USEPA, NJDEP and MCSA, provided, however, that alternate methods for the analysis of industrial wastes may be used, subject to~~

~~mutual agreement between the Township and the owner discharging such industrial wastes into the sanitary sewer system.~~

- e. ~~Changes in Type of Wastes. Any owner of an improved property who is discharging industrial wastes into the sanitary sewer system and who contemplates a change in the method of operation which will alter the type of industrial wastes at the time being discharged into the sanitary sewer system shall notify the Township, in writing, at least ten (10) days prior to consummation of such change.~~
- f. ~~All users whose discharge to the sewer system must be sampled and analyzed because of its composition shall pay the Township for all costs incurred in obtaining and analyzing the samples. Payment for such costs must be made within thirty (30) days after receipt of the bill by the user. Late payment will be subject to a five (5%) percent late charge and interest at the rate of one (1%) percent per month or part thereof.~~

§ 27-7.8. Reserved Maximum Permitted Rates of Sewage Discharge. [1999 Code § 13.08.150]

- a. ~~All properties classified industrial shall be limited to the maximum peak discharge rates prescribed herein for any discharge into the sewer system:~~

Property Classification	Maximum Permitted Peak Discharge (gallons per minute)
Commercial	3.00 per acre
Restricted industrial	3.00 per acre
Light industrial	3.00 per acre
Heavy industrial	10.00 per acre

- b. ~~All properties not classified industrial shall be limited to a maximum peak discharge rate of forty hundredths (0.40) gallon per minute at any time.~~
- c. ~~When directed by the Township to prevent discharge rates into the sewer system in excess of the maximum permitted rates set forth herein, the owner shall provide and maintain, at his own expense, an approved flow control facility having a capacity of at least fifty (50%) percent of the mean daily volume of sewage discharge from the owner's property. In addition, the outlet to the sewer system shall be equipped, at the owner's expense, with a discharge rate controller or other approved device, the regulation of which shall be directed by the Township. In addition, any flow control facility required herein shall be subject to approved means for odor control at the owner's expense.~~

§ 27-7.9. Reserved. Sampling. [Ord. No. O.1905-2015§ 6]

~~The Township will regularly sample and test the sewage emanating from all significant industrial users, or rely on available equivalent records of sampling and testing for such users. The Township may impose a sampling fee not to exceed seventy five (\$75.00) dollars per sample. The samples must be drawn from a Township prescribed sampling point. The purpose of such sampling is to provide for equitable charges to significant industrial users, consistent with~~

~~the rates set forth in the Code, based upon quantity and strength of wastewater discharge in compliance with Federal Regulation 18 CFR 601.34, dated July 2, 1970 as amended and supplemented from time to time.~~

§ 27-7.10. Discharges Regulated. [Ord. No. O.1905-2015§ 6, as amended by Ord. No. _____-20]

- a. Acceptable Wastes. In addition to any other requirements of the Code, no industrial liquid waste shall be discharged into the sanitary sewer system of the Township, unless it is amenable to secondary or biological treatment processes. No toxic materials or wastes containing explosive or flammable substances which would be detrimental to the collection system, including pumping stations and all treatment plant facilities and equipment or treatment processes, shall be permitted to be discharged into the collection system. The subsections of this Chapter XXVII set forth, in further detail, requirements concerning limitations on the quality of industrial waste characteristics.
- b. Chemical Analyses Submitted. Every industry proposing to connect with the Township sewer system and to discharge industrial waste into same shall submit a complete chemical analysis of the waste, including biochemical oxygen demand (BOD), chemical oxygen demand (COD), suspended solids, chlorine demand, phosphates, nitrates and other waste characteristics required by ~~the regulatory agencies~~ MCUA and the NJDEP ~~New Jersey Department of Environmental Protection.~~
- c. Charges. Every industrial user, including SIUs, connected to the Township system and discharging industrial wastes, shall pay to the Township those rates for the processing of such waste as are set forth in subsection 27-8.1c, or as are otherwise set by ordinance from time to time. The Township reserves the right to include additional charges for industrial waste characteristics as may be imposed by the Township or its sewer utility, or to modify the rates based upon actual cost to the Township.
- d. Sampling and Testing. The Township ~~shall~~ may undertake periodic sampling and testing of the waste to determine both volume and strength or waste characteristics. The owner or SIU shall reimburse the Township for all costs of sampling and testing.
- e. Determination of Volume. 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.
- f. Determination of Waste Characteristics. The characteristics of the industrial waste shall be determined from actual samplings or other approved means, and shall be based upon analyses made in accordance with the procedures outlined in the latest edition of Standard Methods of Analysis of Water and Sewage, published by the American Public Health Association. The Township may require the installation of automatic samplers at the cost of the owner to obtain representative samples during a calendar quarter or as may be required.

- g. Additional Determinations. Additional classifications of waste characteristics or modifications of the rate schedule may be established by the Township from time to time as deemed necessary.
- h. Agreement to Accept Wastes. The Township will accept industrial wastes into the sanitary sewerage system upon execution of a formal, written agreement, and under and subject to the provisions appearing in the agreement and the rules, regulations and rates stated herein. The agreement will set out in detail as necessary the characteristics of the wastes, the flow conditions which shall govern and the conditions with respect to the physical connection or connections. It will be the policy of the Township to consider each application on its own merits, and to establish specific conditions applicable to the particular situation for each agreement. No connection shall be made prior to execution of the agreement.
- i. Applicant to Submit Data. Prior to approving an application for a connection involving the acceptance of industrial liquid wastes or any SIU, the applicant shall submit complete data with respect to the following:
 - 1. Average, maximum and minimum rates of flow to be expected daily and seasonally.
 - 2. Flow diagram, showing points of applications of chemicals, type and quantity of each chemical used per day, and per shift, a schedule of operations, expected chemical characteristics of the untreated wastes and the point or points of connection to the sewerage system. The normal situation will require the separation of and separate points of connection for domestic sewage and industrial wastes from each industrial establishment or SIU.
 - 3. Chemical analyses and waste characteristics of liquid industrial waste to be discharged into the system.

§ 27-7.11. Preliminary Treatment. [Ord. No. O.1905-2015§ 6, as amended by Ord. No. -20]

- a. The Township reserves the right to require preliminary treatment where the chemical characteristics of the proposed industrial wastes of any SIU, in the opinion of the Township or in the opinion of the ~~State Department of Environmental Protection~~ NJDEP or the local health officials, make such preliminary treatment desirable or mandatory. Some of the characteristics which may dictate preliminary treatment are listed below:
 - 1. Five (5) day BOD in excess of three hundred fifty (350) milligrams per liter.
 - 2. Suspended solids in excess of three hundred fifty (350) milligrams per liter.
 - 3. Presence of arsenic, barium, cadmium, chloride, copper, cyanide, fluoride, iron, lead, magnesium, manganese, nickel, nitrate, selenium, sulfate, zinc or pH values outside the acceptable limits.
 - 4. pH below or above the allowable limits.
 - 5. A chlorine demand in excess of thirty (30) mg/l.
- b. In such instances where it is agreed that the industrial waste will be received following preliminary treatment, drawings and specifications shall be submitted for approval, showing all pertinent details of the construction

proposed to accomplish the preliminary treatment, to include details of the indicator-record-register type of fluid meter and the housing to be used to meter the flow of industrial wastes, as the case may be, and also details of the control manhole to be constructed on the industrial wastes connection within the sidewalk area. The control manhole shall be provided with adequate access manhole covers of approved type, through which access shall be possible to the Township personnel at all times. Drawings, specifications, reports, etc., shall be submitted in quadruplicate and shall be prepared by a registered professional engineer.

- c. Where preliminary treatment facilities are required, they shall be provided and continuously maintained in an effectively operating condition at all times, at the expense of the owner or SIU.
- d. Each owner or SIU connected shall be responsible for maintaining a quality of effluent from their premises which conforms to the provisions established in their agreement with the Township. Sampling and analysis shall be done to conform with accepted practice, and in accordance with the current edition of "Standard Methods for Examination of Water, Sewage and Industrial Wastes" published by the American Public Health Association.
- e. The cost of preparing and submitting this data for consideration by the Township shall be borne by the industrial owner or SIU; likewise, the cost of sampling and analysis to determine compliance with the terms of the agreement shall be borne by the owner or the SIU, although conducted by the Township or its duly authorized representative.

§ 27-7.12. Control Manholes and Meters. [Ord. No. O.1905-2015§ 6]

Industries and SIUs permitted to connect to Township sewers, even though not initially required to provide preliminary treatment, may be required to provide a control manhole and/or meter, as described herein.

§ 27-7.13. Flow Meters; Inspections. [Ord. No. O.1905-2015§ 6]

- a. Where the owner or SIU provides its own water supply, entirely separate from that supplied by the Township, or provides from its own sources a portion of the water consumed on the premises, which eventually finds its way into the sewerage system of the Township, all aforementioned provisions will apply. This does not relieve the owner or SIU from the requirements to furnish, install and maintain a meter of the indicator-register-record type to measure the discharge of industrial wastes, as the case may be, all, as provided in this chapter. All costs of furnishing, installing and maintaining any industrial waste flow meter will be borne by the owner.
- b. The Township representative shall have access at reasonable times to industrial establishments, and to any meters used to determine waste volumes discharged into the sewer system or excluded from the sewer system.

§ 27-7.14. Prohibited Connections; Penalties for Illegal Connections.
[Ord. No. O.1905-2015§ 6]

Under no circumstances will any of the following be connected to the sanitary sewers, directly or indirectly:

- a. Floor drain, area drain or yard drain.
- b. Rain conductor or downspout.
- c. Grease pit.
- d. Air-conditioning equipment.
- e. Stormwater inlets or catch basins.
- f. Drains from pieces of equipment or manufacturing process, except when specifically authorized under the provisions of these rules and regulations.
- g. No cesspool, privy vault, subsoil or cellar drains, rainwater or surface drains. Only the sewerage system of the premises shall be so connected.

Any residential user found to have any illegal connection to the sanitary sewer system shall be fined \$1,000.00. Any commercial user or any SIU found to have any illegal connection to the sanitary sewer system shall be fined \$5,000.00. Such fines and penalties shall be enforceable by the Township in any court of competent jurisdiction, and shall be collected as provided by this Code or applicable law.

§ 27-7.15. Domestic Sewage to Be Separate from Industrial Waste. [Ord. No. O.1905-2015§ 6]

A separate connection shall be provided for domestic sewage, and the waste shall not be commingled with the industrial waste within the plant or by any SIU. The Township shall determine the equivalent household connections from the discharge of domestic sewage from each industrial plant, owner or SIU. This shall be determined by dividing the average daily domestic sewage flow by three hundred (300) gallons per day; the latter representing the average household domestic sewage discharge. The annual rate for discharge of domestic sewage into the Township sewer system shall be computed by multiplying the number of equivalent units, as determined by the formula above, times the annual sewer charge applied to each household or residential unit.

§ 27-7.16. Payments as a Lien. [Ord. No. O.1905-2015§ 6]

In supplementation of any other provision of this Code, the charges and rents provided for under Chapter XXVII shall draw interest and be a lien upon the premises until paid, and the Township shall have and exercise the remedies for the collection thereof with interest, costs and penalties provided in N.J.S.A. 40:63-8 and as it has by law for the collection of taxes upon real estate.

§ 27-8. SEWER SYSTEM USER CHARGES.

§ 27-8.1. Sewer System Fees and Rates. [1999 Code § 13.08.160; Ord. No. O.1630-2008; Ord. No. O.1862-2014; Ord. No. O.1904-2015; Ord. No. O.1905-2015§ 5; Ord. No. O.1925-2016; Ord. No. O.1966-2017; Ord. No. O.2008-2018; 6-26-2019 by Ord. No. O.2044-2019, as amended by Ord. No. -20]

- 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 ~~\$0.004221~~ \$0.004428 per gallon of water consumed, provided that the users are using metered water. This rate shall be effective as of January 1, ~~2019~~ 2020, 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 nonmetered source shall, except as provided in paragraph h below, be charged as follows:

~~\$261.45~~ \$274.26 in ~~2019~~ 2020.

This amount shall remain unchanged in all subsequent calendar years unless modified by ordinance.

- b. All nonresidential users of the Township sanitary sewer system shall be classified as follows:

1. Class I: Retail and commercial.

Examples include:

Bus charter

Cemeteries

Convenience stores

Home furnishings

Hotels and motels without restaurant or food service

Landscaping

Liquor stores

Locksmiths

Pet supply

Pool supply

Retail "dry goods" stores

Tanning salon

Trucking without vehicle cleaning

Video Rental

Warehousing and distribution

2. Class II: Malls, shopping centers and commercial establishments with food service incidental to use and commercial establishments with cleaning services and/or processes.

Examples include:

Barber shops and beauty salons
Bars and taverns
Cleaners and laundromats
Country clubs and golf courses
Day care
Dental
Food markets
Funeral
General construction
Hotels and motels with restaurant or food service
Ice cream shops
Kennels
Movie theaters
Nursing and retirement homes
Professional offices
Schools
Service stations
Supermarkets
Train stations
Trucking with vehicle cleaning

3. Class III: Retail food service.

Examples include:

Bagel shops
Bakeries
Bars and grills
Butcher shops
Coffee and donut shops
Delis and sandwich shops
Diners
Luncheonettes
Restaurants
Shopping centers
Shopping malls

4. Class IV: Fast food establishments.

5. Significant Industrial Users as defined in the Code.

6. Uses not specifically referenced in the above descriptions will be assigned class designations by the Township Engineer.

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

	<u>2020</u> 2019 *
Class I	<u>0.006649</u> 0.006975
Class II	<u>0.009207</u> 0.009658
Class III	<u>0.010467</u> 0.010980
Class IV	<u>0.012439</u> 0.013049

*The sewer rates for ~~2019~~ 2020 established above shall be effective as of January 1, ~~2019~~ 2020, 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> 2019 *
No. 1 Flow**	<u>\$855.37</u> 897.28 per million gallons
No. 2 BOD (Bio-Oxygen Demand)	<u>\$1,088.18</u> 1,141.50 per ton
No. 3 SS (Suspended Solids)	<u>\$1,213.93</u> 1,273.41 per ton
No. 4 CD (Chlorine Demand)	<u>\$272.39</u> 285.74 per cwt
*The user fees of SIUs for 2019 <u>2020</u> established above shall be effective as of January 1, 2019 <u>2020</u> , and shall remain unchanged in all subsequent calendar years unless modified by ordinance.	

- d. The base rate for non-classified commercial and nonresidential users shall be the Class I rate. In addition, these users shall be charged for pollutant loading in excess of the levels established for normal sewerage and for the treatment of pollutants not contained in normal sewerage. The surcharge rates shall be the identical rates as charged by the Middlesex County Utilities Authority and in effect at such times as the pollutant loading surcharge billings are prepared by the Township. An additional charge of two hundred fifty (\$250.00) dollars per sampled user shall be charged for the sampling and laboratory analysis.
- e. Any user of the system who discharges normal domestic sewage and is a not-for-profit entity and a recognized charity or fraternal organization pursuant to either 26 U.S.C. § 501(c)(3) or (8) of the Internal Revenue Code shall be exempted from the payment of sewer charges under this section.
- f. Residential customers of the Edison Township sanitary sewer system whose sewer user charges are determined based upon potable water consumption from a public water system shall be entitled to a fifteen (15%) percent discount from the calculated charges on their user bill.

g. The Department of Engineering may establish regulations which would permit adjustment of user charges for other classes of customers upon showing that significant quantities of potable water are not generating resultant sewage flows to the Edison Township sewer system.

h. Senior Citizen Sewer Rates.

1. Metered Water. Those residents who have attained the age of sixty-five (65) in their primary residence as of December 31, 2005 shall be billed at the rate in effect for calendar year 1996 (\$0.00176) per gallon until said primary residence has been transferred by deed. Those residents who have attained the age of sixty-five (65) after January 1, 2006 shall be billed at the then current rate established in paragraph a set forth above until said primary residence has been transferred by deed.

2. Well or non-metered water:

(a) Those residents who have attained the age of sixty-five (65) in their primary residence as of December 31, 2007 shall be billed at the following rates based upon the number of occupants residing in said residence:

One (1) person:	\$38.50
Two (2) persons:	\$77.00
Three (3) or more persons:	\$115.00

(b) Those residents who have attained the age of sixty-five (65) in their primary residence on or after January 1, 2008 shall be billed at the then current rate set forth in paragraph a set forth above until said primary residence has been transferred by deed.

3. Proof of Age Requirement. In order to qualify for the senior citizen rate for either metered water or non-metered water or well water for the current calendar year, the resident must provide proof of age to the Department of Finance by no later than March 1 of the calendar year. Acceptable proof(s) of age shall include but not be limited to a Township identification card, valid drivers license, birth certificate, passport or County identification card, as determined by the Director of Finance.

i. Irrigation Line. Any resident who installs a metered irrigation line shall be exempt from the rates outlined in paragraph a provided they can provide the Township with a certification from the ~~water company~~ Water and Sewer Utility as to "irrigation only" status.

j. Discharges.

1. Any user proposing to discharge into the Edison Township sanitary sewerage system groundwater generated as a result of a mandated or voluntary remediation activity or process, or any other temporary, non-domestic discharge shall first receive a temporary discharge approval from the Township Engineer and Director.

2. Discharge approval requests shall be applied for on forms obtained from the Township Engineer.

3. Prior approval by the Middlesex County Utilities Authority for a temporary discharge approval or regular non-domestic wastewater discharge permit shall be required prior to application to the Township.
4. The application fee for a Township permit to discharge remediated groundwater into the Township sanitary sewerage collection system shall be two hundred fifty (\$250.00) dollars, paid upon submission of the application.
5. Charges based upon the quantity of the discharge shall be at the Class I rate.

§ 27-9. CONNECTION CHARGES AND REGULATIONS.

§ 27-9.1. Connection Charges Established. [1999 Code § 13.08.170; Ord. No. O.2035-2018]

A sanitary sewer system connection charge is established in order that the aforementioned purposes and objectives are implemented.

§ 27-9.2. Regulations for Sanitary Sewer System Connection Charge; Charges. [1999 Code § 13.08.180; Ord. No. O.2035-2018]

a. General.

1. The sanitary sewer system connection charge shall consist of a trunk system connection charge and a collector system connection charge determined as follows:
 - (a) The trunk system connection charge shall be based on the cost of providing trunk sewer facilities, including secondary trunks, pump stations and force mains, to areas of the Township requiring new or expanded sanitary sewer facilities as determined by the Township Engineer. Allocation of the total cost of providing trunk sewer facilities among individual users connecting to the system will be based on the ratio of the individual user's peak discharge rate to the peak design capacity of the trunk system. Peak flow rates and design capacities will be based on the Township Division of Engineering sanitary sewer design criteria.
 - (b) The collector system connection charge will be based on the estimated cost of providing collector sewers to an average residential dwelling unit as determined by the Township Engineer. The collector system connection charge for nonresidential users will be based on the front footage of the applicant's property, except in cases where the Township Engineer determines that the use of front footage is not reasonable. In such cases, the Township Engineer shall determine the proper connection charge; provided, however, that in no case shall a collector system connection charge be less than the minimum stipulated in paragraph c. Any user connecting to a combined trunk-collector sewer facility as defined hereinafter shall be liable for both the trunk and collector sewer connection charges.
2. Definitions. As used in this section:

COLLECTOR SEWER SYSTEM — Means gravity sewers, within a specific area, used to collect sewage from service laterals of individual users and transport said sewerage to trunk sewer facilities.

COMBINED TRUNK-COLLECTOR SEWER FACILITIES — Means any sewer facility that is utilized for both trunk system purposes and collector system purposes, that is, any facility that both collects sewage from individual service laterals and also transports sewage from other definable collector systems to treatment facilities.

TRUNK SEWER SYSTEM — Means gravity sewers, pumping stations and force mains used for the transportation of sewerage from collection systems, as defined herein, to treatment facilities.

3. Trunk system and collector system connection charges will be payable on the following basis:
 - (a) Any property which has been assessed for sanitary sewer in the past will be exempt from the connection charges.
 - (b) Applicants for connection to the sanitary sewer system for residential dwelling units and commercial/industrial buildings in existence on the date the connection charges are established are exempted from the trunk system connection charge on the basis that their owners have been contributing to the cost of the sewer system through taxes on an improved property without having the benefit of using the sanitary sewer system.
 - (c) Applicants for connection to the sanitary sewer system for residential dwelling units, commercial/industrial buildings or other nonresidential structures where the Township constructs or has constructed collector sewers shall pay trunk system and collector system connection charges.
 - (d) Applicants for connection to the sanitary sewer system who have applied for a construction permit or land subdivision before the effective date of these regulations are exempt from the connection charges.
 - (e) Applicants for connection to the sanitary sewer system who are required to pay the trunk system connection charge and who construct, at their own expense, a portion of the trunk system shall receive a reduction in their trunk system connection charge equal to the value of the facilities they construct, provided that the facilities are generally in accordance with the Township's overall sanitary sewer plan in effect on the date connection application is made. Determination of whether such facilities are in accordance with the Township's overall sanitary sewer plan and the value of such facilities shall be made by the Township Engineer. If, in the event that the value of the trunk system facilities constructed by the applicant exceeds the total trunk system connection charge for which the applicant would be liable, no trunk system charge will be payable. However, in such a case, the Township will not pay the applicant the cost of constructing trunk system facilities in excess of the trunk system connection charge that would have been payable. Any trunk system facilities constructed under this section shall be constructed in

accordance with Township standards and requirements, and the facilities shall become the property of the Township upon final acceptance by the Township. The applicant shall be responsible for the proper operation and maintenance of the facilities until final acceptance is granted.

4. Construction of trunk sewer facilities by the Township or by private individuals under the authority of the Township as described above in paragraph a3(e) shall be at the sole discretion of the Township. The Township shall not be obligated to construct or allow construction of trunk sewer facilities when it is not deemed to be in the best interest of the Township.

b. Application Procedures.

1. No connection to the sanitary sewer system shall be made unless proper application has been made on the prescribed application forms and the application has been approved and the required fees paid. It shall be the applicant's responsibility to comply with the detailed application procedures contained on the application form. Applicant's requiring Treatment Works Approval from the NJDEP shall comply with the submission requirements in accordance with N.J.A.C. 7:14A-22.8(a).
2. The Township shall have the right to deny any application for connection to the sewer system that is not deemed to be in the best interests of the Township.

c. Sanitary Sewer System Connection Charges.

1. Trunk System Connection Charges.

- (a) Residential dwelling units, including single-family detached units, multiple-family units, townhouses, condominiums and other permanent residential dwelling units: eight hundred forty (\$840.00) dollars per individual unit.
- (b) All commercial, light or restricted industrial properties: three thousand seven hundred twenty (\$3,720.00) dollars per gross acre.
- (c) All other nonresidential buildings, structures or facilities: estimated peak discharge rate, in gallons per minute (GPM), as determined by the Township Engineer, times one thousand three hundred eighty (\$1,380.00) dollars per GPM.
- (d) Minimum trunk system connection charge: eight hundred forty (\$840.00) dollars.
- (e) The provisions of this section notwithstanding, the Municipal Council may reduce by fifty (50%) percent the fee to be imposed by this section for the connection to the sewer system of any commercial or industrial building or structure which is located within a designated "area in need of rehabilitation and development" in accordance with this Code and which is subject to a tax abatement agreement with the Township and N.J.S.A. 40A:21-1 et seq. "The Five Year Exemption and Abatement Law."

2. Collection System Connection Charges.

- (a) Residential dwelling units, including single-family detached units, multiple-family units, townhouses, condominiums and other permanent residential dwelling units: two thousand one hundred (\$2,100.00) dollars per individual unit.
- (b) All nonresidential buildings, structures or facilities: twenty-one (\$21.00) dollars per front footage of the applicant's property, except as provided for in paragraph a1.
- (c) Minimum collection system connection charge: two thousand one hundred (\$2,100.00) dollars.
- d. Applicability. These regulations only pertain to sanitary sewer system connection charges. Any applicant for connection to the Township sanitary sewer system must also comply with all other ordinances and regulations pertaining to the sanitary sewer system, including but not limited to sewer use, user charges, prohibited wastes, industrial pretreatment, applicable design and construction codes and any applicable Federal and/or State laws and regulations.¹

1. Editor's Note: Former § 27-10, Sewer Utility, as amended, which immediately followed this subsection, was repealed 9-9-2019 by Ord. No. O.2049-2019.



... [NOTE to Codifier. Additions noted in underline, ~~deletions noted in strikethrough~~.] ...

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 hereby amends Chapter 27 of the Code to read as follows:

... [NOTE to Codifier. Additions noted in underline, ~~deletions noted in strikethrough~~.] ...

... [NOTE to Codifier. Additions noted in underline, ~~deletions noted in strikethrough~~] ...

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapter 27 of the Code shall remain unchanged and have full force and legal effect.

4. 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.

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

6. 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.276-062020

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING JUNE 4, 2020

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, June 4, 2020.

FUND	AMOUNT
Current	\$17,073,089.99
Affordable Housing	0.00
Capital	206,040.47
Cash Performance	2,398.24
CDBG	309.00
Developers Escrow	47,022.89
Dog (Animal Control)	10,916.62
Federal Forfeited	0.00
Grant Funds	1,200.00
Law Enforcement	0.00
Open Space	0.00
Park Improvements	3,448.00
Payroll Deduction	464,446.52
Sanitation Fund	236,058.25
Self Insurance	0.00
Sewer Utility	2,389,459.78
Tax Sale Redemption	52,114.80
Tree Fund	0.00
Tree Planting	0.00
Trust	92,998.90
Edison Water Utility	630,234.64
Edison Landfill Closure Trust	0.00
TOTAL	\$21,209,738.10

/s/ Nicholas C. Fargo
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.277-062020

Authorizing refund for redemption of tax sale certificates

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

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

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

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison, that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing, totaling **\$146,870.02**.

RESOLUTION R.278-062020

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 Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by May 30, 2020 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2020 Calendar Year 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 for her record.

<u>CURRENT FUND</u>	<u>AMOUNT</u>
BUSINESS ADMINISTRATOR Salary	20,346.71
BUSINESS ADMINSTRATOR Other Expenses	7,178.75
PURCHASING Salary	14,451.43
PURCHASING Other Expenses	7,682.75
PURCHASING CENTRAL STORE Other Expenses	5,195.33
COMMUNICATIONS/EDISON TV Salary	5,000.00
COMMUNICATIONS/EDISON TV Other Expenses	4,616.67
PERSONNEL/HR Salary	12,025.21
PERSONNEL/HR Other Expenses	7,262.50
MAYOR Salary	1,327.16
MAYOR Other Expenses	200.00
COUNCIL Salary	7,000.00
COUNCIL Other Expenses	2,073.33
MUNICIPAL CLERK Salary	17,874.47
MUNICIPAL CLERK Other Expenses	0.00
ETHICS COMMISSION Other Expenses	833.33
FINANCE DEPARTMENT Salary	500.00
FINANCE DEPARTMENT Other Expenses	10,620.83

DISBURSEMENTS Salary	12,811.79
DISBURSEMENTS Other Expenses	342.00
PAYROLL Salary	5,000.00
PAYROLL Other Expenses	800.00
AUDIT SERVICES	6,007.33
DATA PROCESSING Other Expenses	0.00
TAX COLLECTION Salary	10,565.52
TAX COLLECTION Other Expenses	2,514.17
TAX ASSESSMENT Salary	14,898.71
TAX ASSESSMENT Other Expenses	0.00
LEGAL DEPARTMENT Salary	8,230.76
LEGAL DEPARTMENT Other Expenses	61,666.67
ENGINEERING SERVICES Salary	20,000.00
ENGINEERING SERVICES Other Expenses	23,890.08
PLANNING BOARD Other Expenses	2,433.33
ENVIRONMENTAL COMM Other Expenses	108.33
ZONING BOARD Other Expenses	0.00
PLANNING & ZONING DEPT Salary	13,949.92
PLANNING & ZONING Other Expenses	8,500.00
CONSTRUCTION ENFORC AGENCY Salary	94,652.95
CONST ENF AGENCY Other Expenses	30,791.67
RENT CONTROL BOARD Salary	0.00
RENT CONTROL BOARD Other Expenses	116.67
GROUP HEALTH INSURANCE	2,300,000.00
EMPLOYEE SALARY AND WAGES(WAIVERS)	0.00
UNEMPLOYMENT INSURANCE EXPENSE	0.00
INSURANCE & SURETY Expense	680,000.00
LOSAP-Other Expenses	8,333.33

POLICE DEPARTMENT Salary	2,012,827.56
POLICE DEPARTMENT Other Expenses	96,479.17
DISPATCH 911 Salary	147,400.15
DISPATCH 911 Other Expenses	98,630.75
OFFICE OF EMRGNCY MGMT Other Expenses	1,250.00
AID TO VOL FIRE	0.00
AID TO VOL FIRST AID	0.00
FIRE FIGHTING Salary	750,053.45
FIRE FIGHTING Other Expenses	82,489.17
FIRE PREVENTION Salary	30,476.82
FIRE PREVENTION Other Expenses	9,316.67
FIRE HYDRANT CHARGES	134,093.58
STREETS & ROADS Salary	104,633.09
STREETS & ROADS Other Expenses	27,066.67
SOLID WASTE RECYCLING Salary	83,306.22
SOLID WASTE RECYCLING Other Expenses	5,125.00
BUILDINGS & GROUNDS Salary	196,948.66
BUILDINGS & GROUNDS Other Expenses	19,333.33
MUNICIPAL GARAGE Salary	84,263.52
MUNICIPAL GARAGE Other Expenses	7,991.67
POLICE VEHICLES Salary	35,023.13
POLICE VEHICLES Other Expenses	19,237.50
CONDO COMMUNITY COSTS	13,333.33
HEALTH Salary	115,728.83
HEALTH Other Expenses	12,158.33
SENIOR CITIZEN Salary	30,852.79
SENIOR CITIZEN Other Expenses	3,312.50

RECREATION Salary	164,198.55
RECREATION Other Expenses	48,358.67
PARKS & TREES Salary	107,117.07
PARKS & TREES Other Expenses	6,483.33
FREE PUBLIC LIBRARY Salary	154,802.09
FREE PUBLIC LIBRARY Other Expenses	247,777.50
CELEBRATION OF PUBLIC EVENTS EXPENSES	5,083.33
PUBLIC BUILDINGS HEAT,LIGHT,POWER	0.00
STREET LIGHTING EXPENSE	91,666.67
PUBLIC BUILDINGS TELEPHONE	20,833.33
FUEL & LUBRICANTS Other Expenses	34,769.53
CONTINGENT Expense	4,166.67
O.A.S.I. (SOCIAL SECURITY) Expense	138,909.41
Defined Contribution Retirement Program Expenses	6,000.00
MUNICIPAL COURT Salary	35,697.73
MUNICIPAL COURT Other Expenses	4,755.83
PUBLIC DEFENDER Salary	2,916.67
PUBLIC DEFENDER Other Expenses	166.67
Middlesex County Recycling Enhancement Grant	
TOTAL CURRENT FUND	<u><u>8,624,836.64</u></u>

SEWER UTILITY FUND**AMOUNT**

SEWER Salary	105,897.59
SEWER Other Expenses	1,040,122.39
SEWER Sewerage Disposal Charges	
SEWER Public Emp Retirement Sys (PERS)	
SEWER Social Security (OASI)	42,375.00
Sewer Unemployment Insurance	
TOTAL SEWER UTILITY FUND	1,188,394.98

SANITATION FUND**AMOUNT**

SANITATION Salary	180,917.48
SANITATION Other Expenses	716,219.25
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	
SANITATION Public Emp Retirement Sys (PERS)	
SANITATION Social Security (OASI)	16,666.67
SANITATION Disposal Fees	175,000.00
TOTAL SANITATION FUND	1,088,803.40

WATER UTILITY FUND**AMOUNT**

WATER Salary	351,064.59
WATER Other Expenses	363,971.33
WATER Bulk Water Purchase	585,416.67
WATER Capital Outlay	125,000.00
WATER Public Emp Retirement Sys (PERS)	
WATER Social Security (OASI)	9,171.33
TOTAL WATER UTILITY FUND	1,434,623.92

RESOLUTION R.279-062020

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO MOTOROLA SOLUTIONS, INC.
FOR THE MAINTENANCE, REPAIR AND PURCHASE OF RADIO COMMUNICATION EQUIPMENT
AND SERVICES**

WHEREAS, there is a need for all Township of Edison Departments to maintain, purchase and repair radio communication equipment and services for the period of August 1, 2020 through July 31, 2021; and

WHEREAS, MOTOROLA SOLUTIONS, INC., P.O. Box 1335, Burlington, NJ 08016 has been awarded State Contract Number 83909 under T-0109/Radio Communication Equipment and Services; and

WHEREAS, the maintenance portion of the contract covers parts and labor. This portion of the contract is \$258,321.72; and

WHEREAS, the repairs/purchase portion of the contract covers time and materials repairs to the portable and vehicle radios that is not covered by the maintenance agreement as well any new purchases if necessary. This expense will be capped at an not to exceed amount of \$175,000.00; and

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

WHEREAS, the amount for this contract cannot be determined at this time, and the total amount of the award of this contract cannot be encumbered; 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 in the amount not to exceed \$433,321.72 and any other necessary documents, with MOTOROLA SOLUTIONS, INC., P.O. Box 1335, Burlington, NJ 08016 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 83909/T-0109.

RESOLUTION R.280-062020

RESOLUTION AWARDING A CONTRACT/PURCHASE ORDER TO CAMPBELL SUPPLY CO., LLC FOR REPAIRS TO FIRE TRUCK #2 FOR THE DIVISION OF FIRE

WHEREAS, Fire Truck #2 needed emergency repairs; and

WHEREAS, the current contractual vendor, Absolute Fire, who was awarded Public Bid No. 17-10-02RRR-Emergency Vehicle Repairs, could not provide the needed vehicle repairs; and

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

WHEREAS, a quote was solicited from CAMPBELL SUPPLY CO., LLC, by the Division of Fire for the emergency vehicle repairs to Truck #2; and

WHEREAS, CAMPBELL SUPPLY CO., LLC, 1015 Cranbury South River Rd., Monroe, NJ 08831, submitted a quote in the amount not to exceed \$11,410.08; and

WHEREAS, for the previous twelve months, the Township has expended over \$17,500.00 with CAMPBELL SUPPLY COMPANY, LLC in a twelve month period and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

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

WHEREAS, funds in the amount of \$11,410.08 have been certified to be available in the Fire Fighting Maintenance of Motor Vehicle Account, Number 0-01-25-0265-001-025; and

WHEREAS, prior to contract/Purchase order, CAMPBELL SUPPLY COMPANY, LLC will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit CAMPBELL SUPPLY COMPANY, LLC from making any reportable contributions through the term of the contract; 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 quote submitted by CAMPBELL SUPPLY CO., LLC, 1015 Cranbury South River Rd., Monroe, NJ 08831 for the emergency vehicle repairs to Truck #2 for the Division of Fire, is determined to be in the best interest of the Township.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$11,410.08, and any other necessary documents, with CAMPBELL SUPPLY CO., LLC as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$11,410.08** are available for the above in Account No. **0-01-25-0265-001-025**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.281-062020

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO QUEUES ENFORTH DEVELOPMENT, INC. FOR THE MAINTENANCE AND SUPPORT OF THE PROPRIETARY SOFTWARE COMPUTER AIDED DISPATCH (CAD) AND RECORDS MANAGEMENT SYSTEM (RMS) USED BY THE POLICE AND FIRE DIVISIONS

WHEREAS, the Township of Edison needs to renew the annual maintenance and support agreement for the Queues Enforth Development (QED) Acuity Computer Aided Dispatch (CAD) and Records Management System (RMS) installed in the Police Department's 9-1-1 Communications Center as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

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

WHEREAS, such annual renewal for the support of proprietary software may be awarded without public advertising for bids or bidding, in accordance with N.J.S.A. 40A:11-5(dd); and

WHEREAS, QUEUES ENFORTH DEVELOPMENT, INC., 92 Montvale Ave., Suite 4350, Stoneham, MA 02180, has submitted a proposal to provide such services for a one year term for the period of July 1, 2020 - June 30, 2021 at a cost of \$49,560.00; and

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

WHEREAS, funds in the amount of \$49,560.00 have been certified to be available in the Dispatch-911 Maintenance of Other Equipment Account, Number 0-01-25-0250-000-026; 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 and any other necessary documents in the amount of \$49,560.00, with QUEUES ENFORTH DEVELOPMENT, INC., 92 Montvale Ave., Suite 4350, Stoneham, MA 02180 as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, and without competitive bidding under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(dd).
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$49,560.00** are available for the above contract in Account No. **0-01-25-0250-000-026** subject to and contingent upon the availability of sufficient funds in the 2020 temporary and/or permanent budget.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.282-062020

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO MARIO'S HEAVY EQUIPMENT REPAIR & SALES LLC FOR ONE (1) AIR COMPRESSOR WITH ACCESSORIES FOR THE DEPARTMENT OF WATER AND SEWER UTILITIES

WHEREAS, quotes were solicited by the Township of Edison for one (1) air compressor with accessories for the Department of Water and Sewer Utilities; and

WHEREAS, MARIO'S HEAVY EQUIPMENT REPAIR & SALES LLC, 78 Battleground Road, Millstone, NJ 08535 submitted the lowest responsible, responsive quote in the amount of \$21,798.00; and

WHEREAS, this amount exceeds \$17,500.00 and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, prior to contract/Purchase order, MARIO'S HEAVY EQUIPMENT REPAIR & SALES LLC will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit MARIO'S HEAVY EQUIPMENT REPAIR & SALES LLC from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$21,798.00 (\$19,200.00 for air compressor and \$2,598.00 for accessories) have been certified to be available in the Various Capital Improv. & Start Up Costs Account, No. C-06-19-2055-001-000; and

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

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

1. All quotes have been reviewed, and the quote by MARIO'S HEAVY EQUIPMENT REPAIR & SALES LLC, 78 Battleground Road, Millstone, NJ 08535, for one (1) air compressor with accessories for the Department of Water and Sewer Utilities, is determined to be the lowest, responsive, and responsible quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$21,798.00, and any other necessary documents, with MARIO'S HEAVY EQUIPMENT REPAIR & SALES.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$21,798.00** are available for the above in Account No. **C-06-19-2055-001-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.283-062020

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO SEACOAST SUPPLY INC.
FOR TWO (2) BYPASS PUMPS FOR THE SEWER UTILITY**

WHEREAS, bids were received by the Township of Edison on May 20, 2020 for Public Bid No. 20-03-14 Bypass Pumps; and

WHEREAS, SEACOAST SUPPLY INC., 33 Webb Street, Cranston, RI 02920, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase for two bypass pumps shall not exceed \$118,096.00 (\$59,048.00 for each bypass pump); and

WHEREAS, funds in the amount of \$118,096.00 has been certified to be available in the Sewer Capital Improvement Projects Account, Number 0-07-55-0501-000-117; 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 SEACOAST SUPPLY INC., 33 Webb Street, Cranston, RI 02920, for two (2) Bypass Pumps 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 \$118,096.00 and any other necessary documents, with SEACOAST SUPPLY 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 **\$118,096.00** are available for the above contract in Account No. 0-07-55-0501-000-117.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.284-062020

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO RARITAN GROUP INC. FOR THE FURNISHING OF WATER UTILITY SUPPLIES AND EQUIPMENT

WHEREAS, bids were received by the Township of Edison on May 22, 2020 for Public Bid No. 20-02-21R Water Utility Supplies and Equipment; and

WHEREAS, RARITAN GROUP INC., 301 Meadow Road, Edison, NJ 08817, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

WHEREAS, the total amount of the contract shall not exceed \$440,000.00, and cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid submitted by RARITAN GROUP INC., 301 Meadow Road, Edison, NJ 08817 for Water Utility Supplies and Equipment is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$440,000.00, and any other necessary documents, with RARITAN GROUP INC.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received.

RESOLUTION R.285-062020

Explanation: A Resolution authorizing a subsidy grant of \$85,000 from the Township's Affordable Housing Market To Affordable Program for the purchase of a home from market rate to affordable.

WHEREAS, by Resolution the Township Council approved, authorized and established a Market To Affordable Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner/s in the purchase of eligible housing units in the Township of Edison, to use these existing properties as Affordable Housing units (Unit), and committed \$2.875 million dollars from the Township's Affordable Housing Trust Fund for this purpose; and

WHEREAS, the Township Council also approved and adopted a Manual at that time for the Market To Affordable Program in accordance with the Court's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a subsidy for such purchase under the Program; and

WHEREAS, a Unit was located and an application to participate in the Program was submitted, reviewed and deemed complete and in compliance with the requirements; and

WHEREAS, the Seller, has entered into a Sales Contract with a household that is income certified as eligible to purchase such a Unit, as approved by the Township's Administrative Agent and qualifies for a subsidy grant of \$85,000 to be paid from the Township's Affordable Housing Trust Fund in order to reduce the price for the Buyers to qualify the Unit as "Affordable"; and

WHEREAS, the title company, known as Title Masters, LLC, will distribute such funds to the Seller, on behalf of the Buyer, at the time of the Closing in order to meet the full *sale price*; and

WHEREAS, the Township Council desires to award this subsidy grant to buy-down the selling price to make it an *affordable* unit at 1132 Waterford Drive, Edison, NJ, Block 56.16, Lot 2, in the amount of \$85,000 for the purpose set forth herein under the Township's Market To Affordable Program; and to authorize the execution of a Deed Restriction between the Township and Crystal Wright, the Buyer, with respect to such subsidy grant.

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

1. The Township Council hereby approves and authorizes a subsidy grant in the amount of \$85,000 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Township's Market To Affordable Program, to Title Masters, LLC, 203 South Avenue, Westfield, NJ 07090, for the purposes set forth herein and authorizes the execution of a Deed Restriction between the Township and Crystal Wright, 1132 Waterford Drive, Edison, NJ 08817 with respect to such subsidy grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.286-062020

Explanation: A Resolution authorizing a grant of \$15,000 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the purchase of an *affordable* housing unit by an income certified buyer.

WHEREAS, by Resolution the Township Council approved, authorized and established a Market To Affordable Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner/s in the purchase of eligible *affordable* housing units in the Township of Edison, to use these existing properties as Affordable Housing units (Unit), and committed one million dollars from the Township's Affordable Housing Trust Fund for this purpose; and

WHEREAS, the Township Council also approved and adopted a Manual at that time for the Down Payment/Closing Cost Affordability Assistance Program in accordance with the Court's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a grant for such purchase under the Program; and

WHEREAS, a Unit was located and an application to participate in the Program was submitted, reviewed and deemed complete and in compliance with the requirements; and

WHEREAS, the Buyers, have entered into a Sales Contract to purchase an *affordable* housing unit, as approved by the Township's Administrative Agent and qualifies for a grant of \$15,000 to be paid from the Township's Affordable Housing Trust Fund in order to provide affordability assistance by reducing the costs for the Buyers; and

WHEREAS, the title company, known as Title Masters, LLC, will distribute such funds on behalf of the Buyer at the time of the Closing to subsidize the down payment or closing costs; and

WHEREAS, the Township Council desires to award this grant to provide assistance in the purchase of an *affordable* unit at 1132 Waterford Drive, Edison, NJ, known as Block 56.16, Lot 2, in the amount of \$15,000 for the purpose set forth herein under the Down Payment/Closing Cost Affordability Assistance Program; and to authorize the execution of an Agreement between the Township and Crystal Wright, the Buyer, with respect to such grant.

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

1. The Township Council hereby approves and authorizes a subsidy grant in the amount of \$15,000 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Down Payment/Closing Cost Affordability Assistance Program, to be paid to Title Masters, LLC, 203 South Avenue, Westfield, NJ 07090, for the purposes set forth herein and authorizes the execution of an Agreement between the Township and Crystal Wright, 1132 Waterford Drive, Edison, NJ 08817 with respect to such grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.287-062020

Explanation: A Resolution rescinding prior Resolution 233-052020 and reauthorizing the subsidy grant of \$85,000 from the Township's Affordable Housing Market To Affordable Program for the purchase of a home from market rate to affordable.

WHEREAS, by Resolution the Township Council approved, authorized and established a Market To Affordable Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner/s in the purchase of eligible housing units in the Township of Edison, to use these existing properties as Affordable Housing units (Unit), and committed \$2.875 million dollars from the Township's Affordable Housing Trust Fund for this purpose; and

WHEREAS, the Township Council also approved and adopted a Manual at that time for the Market To Affordable Program in accordance with the Court's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a subsidy for such purchase under the Program; and

WHEREAS, a Unit was previously located and an application to participate in the Program was previously submitted, reviewed and deemed complete and in compliance with the requirements and Resolution 233-052020 was subsequently approved authorizing the award of a subsidy grant; and

WHEREAS, the contract for the Unit did not proceed and another Unit was subsequently located and an application to participate in the Program was submitted, reviewed and deemed complete and in compliance with the requirements for the new Unit; and

WHEREAS, the Seller, has entered into a Sales Contract with a household that is income certified as eligible to purchase such a Unit, as approved by the Township's Administrative Agent and qualifies for a subsidy grant of \$85,000 to be paid from the Township's Affordable Housing Trust Fund in order to reduce the price for the Buyers to qualify the Unit as "Affordable"; and

WHEREAS, the title company, known as All Ahead Title Agency, LLC, will distribute such funds to the Seller, on behalf of the Buyer, at the time of the Closing in order to meet the full *sale price*; and

WHEREAS, the Township Council desires to award this subsidy grant to buy-down the selling price to make it an *affordable* unit at 18 Plafsky Drive, Edison, NJ, Block 20.E, Lot 12, in the amount of \$85,000 for the purpose set forth herein under the Township's Market To Affordable Program; and to authorize the execution of a Deed Restriction between the Township and Maximo Guerrero, the Buyer, with respect to such subsidy grant.

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

1. The Township Council hereby rescinds Resolution 233-052020 and approves and authorizes a subsidy grant in the amount of \$85,000 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Township's Market To Affordable Program, to All Ahead Title Agency, LLC, 407 Pine Street, Red Bank, NJ 07701, for the purposes set forth herein and authorizes the execution of a Deed Restriction between the Township and Maximo Guerrero, 18 Plafsky Drive, Edison, NJ 08817 with respect to such subsidy grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.288-062020

Explanation: A Resolution rescinding Resolution R.234-052020 and reauthorizing a grant of \$15,000 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the purchase of an *affordable* housing unit by an income certified buyer.

WHEREAS, by Resolution the Township Council approved, authorized and established a Market To Affordable Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner/s in the purchase of eligible *affordable* housing units in the Township of Edison, to use these existing properties as Affordable Housing units (Unit), and committed one million dollars from the Township's Affordable Housing Trust Fund for this purpose; and

WHEREAS, the Township Council also approved and adopted a Manual at that time for the Down Payment/Closing Cost Affordability Assistance Program in accordance with the Court's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a grant for such purchase under the Program; and

WHEREAS, a Unit was previously located and an application to participate in the Program was previously submitted, reviewed and deemed complete and in compliance with the requirements and Resolution 234-052020 was subsequently approved authorizing the award of a subsidy grant; and

WHEREAS, the contract for the Unit did not proceed and another Unit was subsequently located and an application to participate in the Program was submitted, reviewed and deemed complete and in compliance with the requirements for the new Unit; and

WHEREAS, the Buyers, have entered into a Sales Contract to purchase an *affordable* housing unit, as approved by the Township's Administrative Agent and qualifies for a grant of \$15,000 to be paid from the Township's Affordable Housing Trust Fund in order to provide affordability assistance by reducing the costs for the Buyers; and

WHEREAS, the title company, known as All Ahead Title Agency, LLC, will distribute such funds on behalf of the Buyer at the time of the Closing to subsidize the down payment or closing costs; and

WHEREAS, the Township Council desires to award this grant to provide assistance in the purchase of an *affordable* unit at 18 Plafsky Drive, Edison, NJ, known as Block 20.E, Lot 12, in the amount of \$15,000 for the purpose set forth herein under the Down Payment/Closing Cost Affordability Assistance Program; and to authorize the execution of an Agreement between the Township and Maximo Guerrero, the Buyer, with respect to such grant.

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

1. The Township Council hereby rescinds Resolution 234-052020 and approves and authorizes a subsidy grant in the amount of \$15,000 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Down Payment/Closing Cost Affordability Assistance Program, to be paid to All Ahead Title Agency, LLC, 407 Pine Street, Red Bank, NJ 07701, for the purposes set forth herein and authorizes the execution of an Agreement between the Township and Maximo Guerrero, 18 Plafsky Drive, Edison, NJ 08817 with respect to such grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.289-062020

EXPLANATION: A Resolution ratifying Executive Order 1-2020, issued by Mayor Thomas Lankey on June 1, 2020.

WHEREAS, in light of the current state of emergency, and recognizing both the need to support local businesses and the needs of residents of Edison Township (the “**Township**”) and those who work in the Township to be able to purchase food from local restaurants, Mayor Thomas Lankey issued Executive Order 1-2020 (the “**Executive Order**”); and

WHEREAS, pursuant to the Executive Order, effective June 1, 2020 and extending to October 31, 2020 or the cancellation of the Executive Order, whichever is earlier, existing restaurants in the Township with onsite parking are allowed to eliminate up to twenty percent (20%) of their existing onsite parking as required by existing approvals or use any other available space on the premises so as to accommodate tables for consumption of food and beverages available from such restaurants, subject to certain guidelines; and

WHEREAS, the Executive Order provides that an application for approval of the aforementioned temporary use must be filed with the Township zoning office (the “**Application**”), and must be approved by Township’s zoning, police, fire and health offices within seven (7) days of filing; and

WHEREAS, in furtherance of the Executive Order, and in an effort to assist local businesses, the Township has agreed to waive any application and/or approval fees relating its review and approval; and

WHEREAS, consideration of the Application includes, but is not limited to, potential for impact on neighboring properties, traffic considerations, safety of workers, patrons and others in the vicinity of the restaurant, and the ability to maintain social distance consistent with existing Executive Orders, with hours of operation limited to 8:00 A.M. to 9:00 P.M., prevailing time; and

WHEREAS, each restaurant submitting an Application and thereafter approved must meet all conditions established by zoning, health, fire and police, including at a minimum: a “contactless” point for ordering and delivery of food and beverages; social distancing being maintained at all times including at points for ordering and delivery of food; personal protective equipment as required by existing law or Executive Orders; wherever possible, payment for such food and beverages shall be made through electronic means; if patrons are given access to onsite restrooms, strict social distancing requirements must be established and maintained regarding such access; sanitizing materials, including hand sanitizer and sanitizing wipes, must be made available to staff and patrons; conspicuous signage must be placed at entrances and throughout the premises alerting staff and customers to the required minimum six feet of physical distance; and

WHEREAS, the Municipal Council of the Township (the “**Municipal Council**”) hereby ratifies the issuance of the Executive Order and approves the policies and procedures set forth therein.

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

1. The Municipal Council hereby ratifies Executive Order 1-2020, issued by Mayor Thomas Lankey on June 1, 2020.
2. To further assist local businesses, the Township will waive any application and/or approval fees relating its review and approval of any Application submitted hereunder.
3. This Resolution shall take effect immediately.

RESOLUTION R.290-062020

Authorizing Refund of Recreation Revenue due to Program Cancellation

WHEREAS the Recreation Department reports and advises that the revenue indicated on attached lists, not exceeding \$296,000.00 was received from the indicated payers, including amounts, and

WHEREAS listed revenues were received for the monthly fees due for the ABC, YAP and Pre-school Programs for half of the month of March 2020 through June 2020, which was cancelled though the end of the school year, and

WHEREAS the Recreation Department further advises that payments were made prior to the children attending the programs, and that the payers are entitled to refunds since the program will not be offered and payment is no longer required, and

WHEREAS any other persons that have not been included as of the submission of this information will also be entitled to this refund.

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 attached lists for collected, but no longer required Recreation Revenues not to exceed \$296,000.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount not to exceed \$296,000.00 are available in Account #0-01-55-0291-000-000.

RESOLUTION R.291-062020

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO THE INSTITUTE FOR FORENSIC PSYCHOLOGY FOR PSYCHOLOGICAL EXAMS

WHEREAS, the Township of Edison has a need for the services of a Forensic Psychologist and the Township is authorized pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. ("Local Contracts Law") to contract for "professional services" as it may require; and

WHEREAS, THE INSTITUTE FOR FORENSIC PSYCHOLOGY, 5 Fir Court, Oakland, NJ 07436, shall provide said services to the Township; and

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

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

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

WHEREAS; the total amount of this contract shall be in the amount not to exceed \$39,000.00; and

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

WHEREAS, pursuant to N.J.A.C. 5:30-11.10 funds for Open-End Contracts shall be committed at the time and 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 official responsible for issuing the purchase order shall ensure that funds are available for the purchase through either an encumbrance or certification of availability of funds pursuant to N.J.A.C. 5:30-11.10; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order with THE INSTITUTE FOR FORENSIC PSYCHOLOGY, 5 Fir Court, Oakland, NJ 07436 to provide Professional Services at a price not to exceed \$39,000.00 as described herein.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.5 et. seq, and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.