

Council Meeting Instructions for the public meeting on 7/22/2020

The Municipal Council of the Township of Edison's regularly scheduled July 22, 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:

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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
REGULAR MEETING
Wednesday, July 22, 2020
7:00 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. **COUNCIL PRESIDENT'S REMARKS**

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

**O.2072-2020 ORDINANCE AMENDING THE TOWNSHIP
CODE CHAPTER 7, SECTION 7-14 TO
PROHIBIT PARKING ON A PORTION OF
NATIONAL ROAD WITHIN THE TOWNSHIP AT ALL
TIMES.**

6. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR,
WEDNESDAY, AUGUST 26, 2020.**

**O.2073-2020 ORDINANCE OF THE TOWNSHIP OF EDISON
AUTHORIZING THE SALE OF TOWNSHIP
OWNED REAL PROPERTY NO LONGER
NECESSARY FOR A PUBLIC PURPOSE AND ESTABLISH
THE PROCEDURES THEREFOR, CONCERNING BLOCK
296, LOTS 37 AND 38 ON THE TAX MAPS OF THE
TOWNSHIP (MORE COMMONLY KNOWN AS 31 FOX
ROAD).**

**O.2074-2020 ORDINANCE AMENDING VARIOUS SECTIONS OF THE
TOWNSHIP CODE TO INCORPORATE
RECOMMENDATIONS FROM THE WATER AND SEWER
UTILITY AND TO ESTABLISH FEES FOR USERS OF THE
WATER SYSTEM, INCLUDING A CONNECTION FEE.**

7. **PUBLIC COMMENT ON THE RESOLUTIONS:**

8. **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.320-072020 Resolution approving disbursements for the period ending July 16, 2020.

R.321-072020 Resolution authorizing refund in the amount of \$289,927.38 for redemption of tax sale certificates.

R.322-072020 Resolution authorizing refund for tax overpayments totaling, \$22,242.13.

R.323-072020 Temporary Budget Appropriations

R.324-072020 Resolution authorizing the Tax Assessor to direct and compromise County Board of Taxation and Tax court Matter under certain conditions.

R.325-072020 Resolution authorizing cancelation and refund of taxes for Exempted Disabled Veteran in the amount of \$2,807.96.

R.326-072020 Resolution Awarding Contract/Purchase order for the Maintenance of Security Cameras and/or purchase of Avaya Equipment (not to exceed \$15,000.00)

R.327-072020 Resolution Awarding Contract/Purchase order for the purchase and installation of hardware to add Facebook Live and to record Public Meetings in Council Chambers in the amount of \$12,010.00.

R.328-072020 Resolution accepting Quote and Awarding Contract/Purchase Order for Janitorial Services for the Edison Township Libraries to Cleaning Services of Hudson Valley, Inc. in an amount not to exceed \$36,000.00.

R.329-072020 Resolution rejecting bid for Maintenance and repair of Office Equipment.

R.330-072020 Resolution awarding Contract/Purchase Order for one year renewal for GPS Real Time Tracking Systems to CDW Government Incorporated in an amount not to exceed \$121,538.00.

R.331-072020 Resolution approving a qualified pool of Architects on an as needed basis for Township Projects.

R.332-072020 Resolution Awarding contract/Purchase Order for the furnishing of Cellular Phone Services and Wireless Cards to Verizon Wireless Cellco partnership in an amount not to exceed \$150,000.00.

R.333-072020 Resolution Awarding Contract/Purchase Order to expand Township's Bandwith to support the remote workforce and support expanded video conferencing to Cablevision Lightpath, Inc. in an amount not to exceed \$63,900.00 for three years.

R.334-072020 Resolution authorizing the submission of Governor's council on Alcoholism and Drug Abuse for the Edison Municipal Alliance Grant for Fiscal Year 2021 (10/1/20-6/30/21) in the amount of \$26,979.00.

R.335-072020 Resolution authorizing the submission of Governor's council on Alcoholism and Drug Abuse for the Edison Municipal Alliance Grant for 5th Quarter (7/1/20 – 9/30/20) for Fiscal year 2020 in the amount of \$6,795.76.

R.336-072020 Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 412, Lot 5.04 (1000 Inman Avenue) should be designated as an "area in need of redevelopment."

- R.337-072020 Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 546.NN, Lot 22 (a/k/a 19-21 Meridian Road) should be designated as an “area in need of redevelopment.”
- R.338-072020 Resolution authorizing the Township Planning Board to investigate whether the properties commonly known on the Township tax maps as Block 643.DD, Lots 27.H, 35 and 38 (a/k/a certain properties fronting Wood Avenue between Oak Tree Road and Hidden Valley Drive) should be designated as an “area in need of redevelopment.”
- R.339-072020 Resolution authorizing the Township Planning Board to investigate whether all lots with frontage along Oak Tree Road, between Grove Avenue and Wood Avenue, satisfy the criteria to be designated ‘an area in need of redevelopment’ (non-condemnation) pursuant to Local Redevelopment and Housing Law, *N.J.S.A.40A:12A-1 et seq.*
- R.340-072020 Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 97.A, Lots 2, 3.A, 4.A, 5.A, 6.A, 7.A, 8, 9, 10.B, 10.C and 10.D (in the area of Edison Train Station, between Plainfield Avenue and Central Avenue) satisfies the criteria to be designated ‘an area in need of redevelopment’ (non-condemnation) pursuant to Local Redevelopment and Housing Law, *N.J.S.A.40A:12A-1 et seq.*
- R.341-072020 Resolution authorizing the entering of a Shared Services Agreement with Township of Woodbridge for the purpose of deploying Recovery Specialists to opioid overdose victims within the Township of Edison.
- R.342-072020 A resolution waiving a portion of the building permit fees for Catholic Charities of the Archdiocese of Newark for construction work to be performed at Block 748, Lot 36 (more commonly known as 635 Amboy Avenue, Edison, New Jersey).
- R.343-072020 This Resolution authorizes the Mayor to execute the attached Developer’s Agreement with Federal Business Centers, with respect to Block 390CC, Lots 1 and 2, and Block 395, Lot 22 on the Edison Township Tax Map, and more commonly known as 255 Clover Place.
- R.344-072020 This Resolution increases the budget for legal fees to be paid Apruzzese, McDermott, Mastro & Murphy, P.C. for its professional services as Township Special Labor Counsel in the amount not to exceed \$25,000.00.
- R.345-072020 Resolution authorizing additional services from PS&S Integrated Services for the purpose of providing professional services related to noise monitoring and sound level readings in the community adjacent to the Amazon Fulfillment Center at the intersection of Route 27 and Vineyard Road in the Township in an amount not to exceed \$5,000.00.
- R.346-072020 Resolution authorizing the Township Planning Board to investigate whether the property immediately adjacent to property fronting on the southerly side of Amboy Avenue, between Liddle Avenue and Brower Avenue, should be designated as an “area in need of redevelopment.”
- R.347-072020 Resolution authorizing the Township Planning Board to investigate whether the properties immediately north and south adjacent to the existing Township marina along the Raritan River should be designated as an “area In need of redevelopment.”
- R.348-072020 Resolution provides refund of the Construction Permit fee posted for Roofing at Village Point condominium Assoc.

- R.349-072020 Resolution provides refund of a Construction Permit fee, posted for a senior residing at 11 Oberlin Court.
- R.350-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by CPV Shore LLC for the Planning Application No. Z62013.
- R.351-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by Fox & Foxx Development for the Planning Application No. P5186.
- R.352-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by Kimley-Horn and Associates (Target) for the Planning Application No. Z53-2017.
- R.353-072020 Resolution provide for the refund the unused portion of Developers Escrow Fees posted by New Jersey Carpenters Pension Fund for the Planning Board application No. P4-2015.
- R.354-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by Fox & Foxx Development for the Planning Board application No. P5156.
- R.355-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by Gulberg Builders, LLC for the Planning Board Application No. P5180.
- R.356-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by Macy's Corporation for the Planning Board Application No. P4-2014.
- R.357-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by Ultimate collision Repair, Inc. for the Planning Board Application No.Z34-2014.
- R.358-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by Viswanath Ravindra for the Planning Board Application No. P5170.
- R.359-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by W. Lane Miller for the Planning Board application No. P29-06/07.
- R.360-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by Wardlaw-Hartridge School for the Planning Board Application Concept.
- R.361-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by Westbrook Estates, LLC for the Planning Board Application No.P5159.
- R.362-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by Beechwood Shopping Center for the Planning Board Application No. P8-2015.
- R.363-072020 Resolution provide for the refund of unused portion of Developers Escrow Fees posted by JSM at Iman for Zoning Board Application No. Z11-2016
- R.364-072020 Resolution refunding Engineering Inspection Fees to Knock on Wood Application No. P5012, acct. # 7760296007.
- R.365-072020 Resolution refunding Engineering Inspection Fees to Knock on Wood Application No.P5104, acct. #7760296014.
- R.366-072020 Resolution refunding Engineering Inspection Fees to Fed Ex Ground Package System Application No. P12-2019, acct. # E1180823FE.
- R.367-072020 Resolution provides for refund of construction permit fee, less the DCA fee & review fee posted for a residential solar installation permit at 56 Reider Rd.

- R.368-072020 Resolution returning Cash Performance Bond to Vijayabalan and Balaji, for 3 Hayduk Drive, acct. # 7761417083.
- R.369-072020 Resolution refunding Cash Performance Bond to JSM Beechwood, Woodbridge Avenue and College Dr., Application No.P27-03/04.
- R.370-072020 Resolution returning of Performance Bond to Edison Enterprises, LLC, 860 New Durham Road, Application #Z08-2016 and Performance Surety Bond #AL100879.
- R.371-072020 Resolution provides refund of the Construction Permit Fee posted for repair work from water damage for a senior, residing at 64 Dellwood Road.
- R.372-072020 Resolution authorizing a grant of \$15,000 from 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.373-072020 Resolution Awarding Contract to Triad Association for CDBG Consulting Services in an amount not to exceed \$75,000.00.
- R.374-072020 This resolution provides for Township Acceptance of the constructed improvements under Public Bid No.18-07-02 VARIOUS DRAINAGE AND ROADWAY IMPROVEMENTS (PHASE 1) and authorizes FINAL CONTRACT PAYMENT for release of retainage in the amount of \$17,327.00.
- R.375-072020 This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 18-30-02: 2018 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2; and authorizes FINAL CONTRACT PAYMENT release of retainage in the amount of \$35,525.82 and close-out of the construction project.
- R.376-072020 Resolution to Release Street Opening Escrow for Permit No. DEV-0056, 92 Ethel Road, Blk. 20 Lot 4.E and Blk.20 Lot 9 in the amount of \$5,720.00.
- R.377-072020 Resolution to Release Street Opening Escrow for Permit No.DEV-20-0207, 142 Winthrop Rd., Blk. 1152, Lot 10 in the amount of \$1,080.00.
- R.378-072020 Resolution to Release Street Opening Escrow for Permit No.DEV-20-0181, 144 Harding Avenue, Blk. 556.C, Lot 6.A in the amount of \$3,000.00.
- R.379-072020 Resolution authorizing the development and submission of a viable application to the Middlesex County Open space Recreation, Farmland and Historic Preservation trust Fund for Municipal Recreation Grant.
- R.380-072020 Resolution Awarding Contract for Public Bid No. 20-08-21A Refuse Collection Equipment Parts/Accessories (New Way Brand) to H.A. Dehart & Sons, Inc. in an amount not to exceed \$10,000.00.
- R.381-072020 Resolution Awarding Contract for Public Bid No. 19-04-25 Automated/Semi-Automated Refuse Containers to IPL, Inc. in an amount not to exceed \$21,021.00.
- R.382-072020 Resolution Awarding Contract for Public Bid No. 20-05-27 Leaf Bags to Dano Enterprises in an amount not to exceed \$75,960.00.
- R.383-072020 Resolution authorizing a Professional Services Contract/Purchase Order to Mott MacDonald, LLC for the purpose of providing engineering services for the Ford/Millbrook Pump Station Replacement in an amount not to exceed \$333,000.00.

- R.384-072020 Resolution awarding Contract/Purchase Order for the purchase of two (2) Generac Light Towers for the Edison Water Utility to Warshauer Generator, LLC in an amount not to exceed \$18,200.00.
- R.385-072020 Resolution accepting Quote and Awarding Contract/Purchase Order to Municipal Maintenance for WEG Electric Motor for the Evergreen Pump Station for the Division of Sewers in the amount of \$16,410.00.
- R.386-072020 Resolution authorizing the Township of Edison to purchase the Chassis for One (1) New and Unused or Newer Ford F-550 Diesel Super Cab Dump Truck with Options from Route 23 Automall through New Jersey State contract for the Water Department in the amount of \$55,084.00.
- R.387-072010 Resolution authorizing the Township of Edison to Purchase the body for One (1) new and unused 2020 or newer Ford F-550 Diesel super Cab Dump Truck with options from Tony Sanchez, LTD through the Educational Services commission of New Jersey Cooperative Pricing System for the Water Department in the amount of \$24,350.00.
- R.388-072020 Resolution rejecting bid for Water Utility Supplies and Equipment Rebid.
- R.389-072020 Resolution authorizing change Order #1 for Contract No. 18-06-11 with LONGO Electrical-Mechanical for Evergreen Pumping Station Priority Repairs in the amount of \$84,425.00.
- R.390-072020 Resolution Awarding an Emergency Contract/Purchase Order for Disposable Masking during the COVID-19 Health Emergency to PPE Medical Supplies in the amount of \$50,000.00.
- R.391-072020 Resolution Awarding an Emergency Contract/Purchase Order for Disinfectant Wipes and Lysol Spray due the COVID-19 Health Emergency to Office Concepts Group, Inc. in the amount of \$19,678.24.
- R.392-072020 Resolution authorizing the Award of a None-Fair and Open Contract to Clean Air Company for the repair and/or addition of the Plymovent Vehicle Exhaust Systems at Fire Stations in the amount of \$34,794.15.
- R.393-072020 Resolution renewing of Club Liquor Licenses for 2020-2021 Term Year for American Legion Post 435, Italian American Club, Metuchen Golf & Country Club and Raritan River Boat Club.
- R.394-07200 Resolution renewing of Retail Distribution Licenses for 2020-2021 Term Year, Liquor Locker, Costco and Wine O Land.
- R.395-072020 Resolution renewing of Retail Consumption License (Hotel/Motel) for 2020-2021 Term, Crowne Plaza.
- R.396-072020 Resolution renewing of Retail Consumption License for 2020-2021 Term Year for RTC Rest. Corp. Cheesecake Factory, Applebee's and RTC Rest.Corp.
- R.397-072020 Resolution cease to exist Club Liquor License #1205-31-038-001, American Legion Clara Barton Post 324.
- R.398-072020 Resolution cease to exist Club Liquor License #1205-31-039-001, Columbia Club of Edison, Inc. a/b/a Knight of Columbus.

9. **COMMUNICATIONS:**

- a. Email received from Paolo Pittenger regarding an Eagle Scout Project for Capestro Park.
- b. Letter from Open Space Advisory Committee.

10. **ORAL PETITIONS AND REMARKS**

11. **ADJOURNMENT**

ORDINANCE O.2072-2020

EXPLANATION: An Ordinance amending the Township Code Chapter 7, Section 7-14 to prohibit parking on a portion of National Road within the Township at all times.

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

WHEREAS, the Township’s Code of General Ordinances (“**Code**”) currently lists the streets and portions thereof where parking of a vehicle is prohibited at all times; and

WHEREAS, the Township desires to designate a portion of National Road in the Township, as fully described herein, as subject to the requirements set forth in Chapter 7, Section 14 of the Code entitled “Parking Prohibited at All Times on Certain Streets”; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) has determined to update Subchapter 7-14 of the Code to identify the specific area on National Road within the Township where parking is prohibited at all times; and

WHEREAS, the Municipal Council has determined to amend Subchapter 7-14 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

7-14. PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

No person shall park a vehicle at any time upon any streets or parts thereof described, except where other parking regulations have been provided for.

Name of Street	Sides	Location
...		
<u>National Road</u>	<u>South</u>	<u>Beginning at a point 1301 feet from the intersection of National Road and Talmadge Road, and ending at a point 1511 feet from Talmadge Road.</u>
...		

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

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

2. The Municipal Council hereby amends Chapter 7, Section 7-14 of the Code to read as follows:

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

7-14. PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

No person shall park a vehicle at any time upon any streets or parts thereof described, except where other parking regulations have been provided for.

Name of Street	Sides	Location
...		
National Road	South	Beginning at a point 1301 feet from the intersection of National Road and Talmadge Road, and ending at a point 1511 feet from Talmadge Road.

...

... [NOTE to Codifier. Existing text not appearing herein has been deleted solely for brevity. NO CHANGE] ...

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

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

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

ORDINANCE O.2073-2020

EXPLANATION: An Ordinance of the Township of Edison authorizing the sale of Township owned real property no longer necessary for a public purpose and establish the procedures therefor, concerning Block 296, Lots 37 and 38 on the tax maps of the Township (more commonly known as 31 Fox Road).

WHEREAS, the Municipal Council of the Township of Edison (hereafter the “**Municipal Council**”) has determined that Block 296, Lots 37 and 38 (more commonly known as 31 Fox Road) which is owned by the Township and reflected as such on its tax maps and within the public land records (the “**Property**”), is not necessary for public use, and that the sale of such Property will return it to the tax rolls of the Township, creating additional revenue for the Township; and

WHEREAS, in consequence, the Municipal Council has determined that it is in the best interests of the Township to offer the Property for sale to the highest bidder pursuant to *N.J.S.A. 40A:12-1 et seq.*, the New Jersey Local Lands and Buildings Law (“**LLBL**”); and

WHEREAS, *N.J.S.A. 40A:12-13* within the LLBL authorizes, among other things, the Township to sell municipally owned real property or capital improvement not needed for public use at public auction and sale to a private person, upon specified terms and conditions; and

WHEREAS, the Municipal Council desires to authorize the sale of the Property to the highest bidder at public auction and sale (the “**Purchaser**”), all consistent with the terms and conditions set forth herein below.

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

SECTION 1.

A. The aforementioned Recitals are incorporated herein as though fully set forth at length.

B. A sign shall be posted on the existing garage structure situated on the Property advising that the Property is for sale.

C. The public sale, if not canceled, shall take place by open public sale at auction to the highest bidder at a date and time set forth in the public notice to be published

in accordance with the requirements of *N.J.S.A. 40A:12-13(a)* and as more particularly described in subsection N., below.

D. The Township shall have the right to remove the Property from the auction for any reason whatsoever until the time of the auction. Notice of such removal will be posted prior to the commencement of the auction.

E. The Property shall be sold subject to 2020 taxes, pro-rated from the date of sale.

F. The Township may, at its discretion, reject all bids.

G. Potential Bidders are advised: (1) to conduct all necessary title searches prior to the date of the sale; (2) that the description of the Property is intended as a general guide only and may not be accurate; (3) no representations of any kind are made by the Township as to the condition of the Property which is being sold in its present condition, "as is"; (4) that the sale is made subject to all applicable laws, statutes, regulations, and ordinances of the United States, State of New Jersey, and Edison Township.

H. At the conclusion of the auction, the successful bidder shall provide a deposit of 10% of the bid by certified check or money order and shall execute an Agreement of Sale. Said Agreement of Sale shall be binding upon the high bidder until such time that the Municipal Council either: (1) does not accept the bid in which case bidders deposit will be returned; or (2) accepts the bid whereupon the Township shall execute the Agreement of Sale and both parties shall be held bound by the terms and conditions contained therein. The balance of the purchase price shall be paid at closing which shall occur not later than sixty (60) days following the acceptance of the bid by the Township. The purchaser shall be entitled to possession immediately following closing of title.

I. At the conclusion of the auction, the successful bidder shall provide a deposit of \$500.00 dollars by certified check or money order as a deposit on all applicable fees and Township costs related to the sale of the property.

J. In the event the Township is unable to convey clear and marketable title, insurable at regular rates by a title insurance company licensed to do business in the State of New Jersey, the Township will forthwith return to the purchaser any and all deposit moneys previously submitted by the purchaser, and neither party shall have any further rights against the other. The acceptance of a deed by the purchaser from the Township shall extinguish any claims that said purchaser may have against the Township in connection with the quality of title conveyed.

K. The Property herein sold is subject to any existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting said property. The Township makes no representations as to the presence of any environmental conditions on the Property and the purchaser assumes the risk of any such condition, all Property being sold "as is."

L. All conveyances by the Township shall be made by Quitclaim Deed.

M. Acceptable bids shall be confirmed by resolution of the Municipal Council no later than the first regular meeting of the Municipal Council following the date of such sale.

N. This Ordinance shall constitute and serve as the public notice to be published in a newspaper circulating in the Township at least once a week for two (2) consecutive weeks, the last publication being not earlier than seven (7) days prior to the date set forth for the public sale.

O. In the event the successful bidder fails to close on the property, the bidder shall forfeit the ten percent (10%) deposit.

P. The Municipal Council reserves the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said Property or to waive any informality in relation thereto.

SECTION 2. If any section, subsection, provision, clause, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or portions, which shall be deemed severable therefrom, and construed to give effect to the remaining provisions.

SECTION 3. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance, are hereby replaced and/or repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect at the time and in the manner provided by law.

ORDINANCE O.2074-2020

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

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 September 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. The following table provides the number of EDUs and the connection fee for different sized meters:

<u>Meter Size (Inches)</u>	<u>Meter Capacity Ratio (Ratio to 5/8-Inch Meter)(EDUs)¹</u>	<u>Water Connection Fee</u>
<u>5/8</u>	<u>1.00</u>	<u>\$1,369.81</u>
<u>3/4</u>	<u>1.45</u>	<u>\$1,986.22</u>
<u>1</u>	<u>2.55</u>	<u>\$3,493.02</u>
<u>1 ¼</u>	<u>3.79</u>	<u>\$5,191.58</u>
<u>1 ½</u>	<u>4.84</u>	<u>\$6,629.88</u>
<u>2</u>	<u>9.97</u>	<u>\$13,657.01</u>
<u>3</u>	<u>19.20</u>	<u>\$26,300.35</u>
<u>4</u>	<u>29.60</u>	<u>\$40,546.38</u>
<u>6</u>	<u>60.10</u>	<u>\$82,325.58</u>
<u>8</u>	<u>80.00</u>	<u>\$109,584.80</u>
<u>10</u>	<u>115.00</u>	<u>\$157,528.15</u>
<u>12</u>	<u>215.00</u>	<u>\$294,509.15</u>

(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 payment plan.

WHEREAS, a public hearing concerning the proposed Connection Fees will be noticed and held on August 26, 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 establish or amend the 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

§ 27-1. DEPARTMENT OF WATER AND SEWER. [1999 Code

§§ 13.04.010 - 13.04.300; amended 9-10-2019 by Ord. No.

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

**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-Builts” 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 curblin 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 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 coek 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 ¾ 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, up to and including two (2) inches shall be furnished and set by the Department of Water and Sewer Utility upon receipt by the Water and Sewer Utility of the Water Meter Fee. All Water Meters which are larger than two (2) inches shall be purchased and installed by the Owner in accordance with the requirements of the Director. 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 purchased and installed by the Water and Sewer Utility, 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.

Bypasses are prohibited except when water service cannot be interrupted for any reason. In that case, the Director must provide written approval of the bypass. A request must be made to the Director in writing stating the reason for a bypass along with drawings of the

Water Meter and bypass proposal. Once approved, a second Water Meter must be purchased from the Water Utility and installed on the bypass. All costs for the bypass meter and associated Water Meter costs and the regulations regarding Water Meters will be the responsibility of the Owner of the Premises. Current bypasses will be locked out by the Water Utility until a new Water Meter can be installed by the Owner. A \$5.00 fee will be added to each water bill for the locking mechanism installed on the bypass valve. If the locking mechanism, lock or wire seal is removed or tampered with, a \$1,000.00 fine shall be issued to the Owner.

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 3/4 inch meter</u>	<u>\$25</u>
<u>Certification Tests for 3/4 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*
		* <u>(current rate as of July 1, 2019)</u>
5/8 to 3/4	950	\$18.66 <u>23.88</u>
1	3,000	\$84.22 <u>107.79</u>
1 1/2	5,000	\$140.37 <u>179.64</u>
2	8,000	\$224.58 <u>287.39</u>
3	18,000	\$467.55 <u>598.33</u>
4	30,000	\$747.79 <u>956.95</u>
6	57,000	\$1,378.34 <u>1,763.88</u>
8	90,000	\$2,148.99 <u>2,750.09</u>
10	120,000	\$2,849.58 <u>3,646.65</u>
12	170,000	\$4,017.24 <u>5,140.90</u>

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

Rate*

~~\$23.15~~ 59.24 per thousand cubic feet

- c. For fire protection, the Department of Water and Sewer shall be paid an annual charge of ~~\$424.37~~ 543.08 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>165.90</u>
4	\$ 467.45 <u>598.20</u>
6	\$ 839.58 <u>1,074.42</u>
8	\$ 1,261.20 <u>1,613.97</u>
10	\$ 1,680.99 <u>2,151.18</u>
12	\$ 2,100.77 <u>2,688.39</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>806.99</u>
6	\$ 1,050.39 <u>1,344.19</u>
8	\$ 1,680.99 <u>2,151.18</u>
10	\$ 2,284.09 <u>2,922.97</u>
12	\$ 2,740.54 <u>3,507.10</u>

- 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 shall be those rates in effect for calendar year 1996. 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 notify the ~~Edison Division of Water Supply~~ Township's Tax Office prior to January 1 to be eligible for the billing year beginning July 1.

§ 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 September 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. The following table provides the number of EDUs and the connection fee for different sized meters:

<u>Meter Size (Inches)</u>	<u>Meter Capacity Ratio (Ratio to 5/8-Inch Meter)(EDUs)²</u>	<u>Water Connection Fee</u>
<u>5/8</u>	<u>1.00</u>	<u>\$1,369.81</u>
<u>3/4</u>	<u>1.45</u>	<u>\$1,986.22</u>
<u>1</u>	<u>2.55</u>	<u>\$3,493.02</u>
<u>1 1/4</u>	<u>3.79</u>	<u>\$5,191.58</u>
<u>1 1/2</u>	<u>4.84</u>	<u>\$6,629.88</u>
<u>2</u>	<u>9.97</u>	<u>\$13,657.01</u>
<u>3</u>	<u>19.20</u>	<u>\$26,300.35</u>
<u>4</u>	<u>29.60</u>	<u>\$40,546.38</u>
<u>6</u>	<u>60.10</u>	<u>\$82,325.58</u>
<u>8</u>	<u>80.00</u>	<u>\$109,584.80</u>
<u>10</u>	<u>115.00</u>	<u>\$157,528.15</u>
<u>12</u>	<u>215.00</u>	<u>\$294,509.15</u>

(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 payment plan.

§ 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.

<u>Main Size (inches)</u>	<u>Tap Size (inches)</u>	<u>Water Tapping Fee</u>
<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>

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

<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>Monday through Friday between 7:00 A.M. and 3:30 P.M.</u>	<u>Commercial \$75.00</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>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</u>

Service Line size represents is set forth in the table of connection fees herein

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.~~
- c. ~~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.~~

~~c. 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/1.
- 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. O.2069-2020]

- a. All residential users of the Township sanitary sewer system discharging normal domestic sewage, as herein described in the sanitary sewer use regulations, shall be charged at a rate of \$0.004428 per gallon of water consumed, provided that the users are using metered water. This rate shall be effective as of January 1, 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:

\$274.26 in 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:

	2020*
Class I	0.006975
Class II	0.009658
Class III	0.010980
Class IV	0.013049

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

	2020*
No. 1 Flow**	\$897.28 per million gallons
No. 2 BOD (Bio-Oxygen Demand)	\$1,141.50 per ton
No. 3 SS (Suspended Solids)	\$1,273.41 per ton
No. 4 CD (Chlorine Demand)	\$285.74 per cwt
*The user fees of SIUs for 2020 established above shall be effective as of January 1, 2020, 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.320-072020

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING JULY 16, 2020.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through, July 16, 2020.

FUND	AMOUNT
Current	\$24,614,315.01
Affordable Housing	109,469.83
Capital	140,031.80
Cash Performance	0.00
CDBG	10,739.62
Developers Escrow	113,598.55
Dog (Animal Control)	12,333.63
Federal Forfeited	72,961.84
Grant Funds	5,496.70
Law Enforcement	0.00
Open Space	0.00
Park Improvements	932.00
Payroll Deduction	1,092,539.76
Sanitation Fund	532,293.24
Self Insurance	0.00
Sewer Utility	210,893.76
Tax Sale Redemption	15,249.61
Tree Fund	0.00
Tree Planting	0.00
Trust	968,505.29
Edison Water Utility	483,466.00
Edison Landfill Closure Trust	1,007.00
TOTAL	\$28,383,833.64

/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.321-072020

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 **\$289,927.38**.

RESOLUTION R.322-072020

Authorizing refund for tax overpayments

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that on various properties located within the Township of Edison, overpayments of real estate taxes have been made due to erroneous or duplicate payments, and

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

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

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing totaling **\$22,242.13**.

RESOLUTION R.323-072020

TEMPORARY BUDGET APPROPRIATIONS

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.

CURRENT FUND	AMOUNT
BUSINESS ADMINISTRATOR Salary	25,968.30
BUSINESS ADMINSTRATOR Other Expenses	13,915.83
PURCHASING Salary	16,223.48
PURCHASING Other Expenses	15,365.50
PURCHASING CENTRAL STORE Other Expenses	2,944.71
COMMUNICATIONS/EDISON TV Salary	5,998.71
COMMUNICATIONS/EDISON TV Other Expenses	9,150.00
PERSONNEL/HR Salary	10,008.22
PERSONNEL/HR Other Expenses	14,525.00
MAYOR Salary	4,399.86
MAYOR Other Expenses	400.00
COUNCIL Salary	0.00
COUNCIL Other Expenses	4,146.67

MUNICIPAL CLERK Salary	15,381.23
MUNICIPAL CLERK Other Expenses	4,632.08
ETHICS COMMISSION Other Expenses	1,666.66
FINANCE DEPARTMENT Salary	500.00
FINANCE DEPARTMENT Other Expenses	21,241.67
DISBURSEMENTS Salary	9,544.72
DISBURSEMENTS Other Expenses	684.00
PAYROLL Salary	3,278.00
PAYROLL Other Expenses	1,251.52
AUDIT SERVICES	12,014.67
DATA PROCESSING Other Expenses	0.00
TAX COLLECTION Salary	10,665.67
TAX COLLECTION Other Expenses	5,028.33
TAX ASSESSMENT Salary	33,052.13
TAX ASSESSMENT Other Expenses	0.00
LEGAL DEPARTMENT Salary	3,851.39
LEGAL DEPARTMENT Other Expenses	114,083.33
ENGINEERING SERVICES Salary	49,040.43
ENGINEERING SERVICES Other Expenses	29,196.66
PLANNING BOARD Other Expenses	3,168.33
ENVIRONMENTAL COMM Other Expenses	216.66
ZONING BOARD Other Expenses	1,000.00
PLANNING & ZONING DEPT Salary	29,750.08
PLANNING & ZONING Other Expenses	15,725.00

CONSTRUCTION ENFORC AGENCY Salary	118,235.81
CONST ENF AGENCY Other Expenses	61,583.34
RENT CONTROL BOARD Salary	0.00
RENT CONTROL BOARD Other Expenses	233.34
GROUP HEALTH INSURANCE	2,000,000.00
EMPLOYEE SALARY AND WAGES(WAIVERS)	0.00
UNEMPLOYMENT INSURANCE EXPENSE	
INSURANCE & SURETY Expense	500,000.00
LOSAP-Other Expenses	16,666.66
POLICE DEPARTMENT Salary	2,700,000.00
POLICE DEPARTMENT Other Expenses	226,726.04
DISPATCH 911 Salary	225,000.00
DISPATCH 911 Other Expenses	15,000.00
OFFICE OF EMRGNCY MGMT Other Expenses	2,500.00
AID TO VOL FIRE	0.00
AID TO VOL FIRST AID	0.00
FIRE FIGHTING Salary	2,892,494.43
FIRE FIGHTING Other Expenses	152,604.95
FIRE PREVENTION Salary	32,446.59
FIRE PREVENTION Other Expenses	17,235.83
FIRE HYDRANT CHARGES	248,073.13
STREETS & ROADS Salary	131,281.66
STREETS & ROADS Other Expenses	50,078.38
SOLID WASTE RECYCLING Salary	70,400.90
SOLID WASTE RECYCLING Other Expenses	10,250.00

BUILDINGS & GROUNDS Salary	35,587.20
BUILDINGS & GROUNDS Other Expenses	35,766.68
MUNICIPAL GARAGE Salary	77,170.11
MUNICIPAL GARAGE Other Expenses	14,784.58
POLICE VEHICLES Salary	28,813.99
POLICE VEHICLES Other Expenses	35,589.37
CONDO COMMUNITY COSTS	26,666.66
HEALTH Salary	165,781.61
HEALTH Other Expenses	17,492.90
SENIOR CITIZEN Salary	36,626.52
SENIOR CITIZEN Other Expenses	2,128.11
RECREATION Salary	166,685.33
RECREATION Other Expenses	89,463.52
PARKS & TREES Salary	121,650.32
PARKS & TREES Other Expenses	12,966.66
FREE PUBLIC LIBRARY Salary	242,339.61
FREE PUBLIC LIBRARY Other Expenses	816,291.33
CELEBRATION OF PUBLIC EVENTS EXPENSES	5,083.33
PUBLIC BUILDINGS HEAT,LIGHT,POWER	10,731.22
STREET LIGHTING EXPENSE	91,666.67
PUBLIC BUILDINGS TELEPHONE	18,541.67
FUEL & LUBRICANTS Other Expenses	25,660.33
CONTINGENT Expense	0.00
PERS Expense	

O.A.S.I. (SOCIAL SECURITY) Expense	274,137.76
Defined Contribution Retirement Program Expense	6,000.00
MUNICIPAL COURT Salary	0.00
MUNICIPAL COURT Other Expenses	4,755.83
PUBLIC DEFENDER Salary	2,916.67
PUBLIC DEFENDER Other Expenses	166.67
TOTAL CURRENT FUND	<u>12,324,294.55</u>

SEWER UTILITY FUND

AMOUNT

722	
SEWER Salary	154,043.32
SEWER Other Expenses	583,126.87
SEWER Sewerage Disposal Charges	758,215.39
SEWER Capital Improvement Projects	0.00
SEWER Public Emp Retirement Sys (PERS)	0.00
SEWER Social Security (OASI)	15,000.00
Sewer Unemployment Insurance	0.00
TOTAL SEWER UTILITY FUND	<u>1,510,385.58</u>

SANITATION FUND

AMOUNT

SANITATION Salary	235,944.00
SANITATION Other Expenses	200,398.55

SANITATION EMPLOYEE GROUP HEALTH INSURANCE	74,651.38
SANITATION Public Emp Retirement Sys (PERS)	0.00
SANITATION Social Security (OASI)	16,666.67
SANITATION Disposal Fees	298,750.00
SANITATION Unemployment Insurance	0.00
SANITATION-Capital Outlay	0.00
TOTAL SANITATION FUND	<u>826,410.60</u>

WATER UTILITY FUND

AMOUNT

WATER Salary	0.00
WATER Other Expenses	44,487.27
WATER Bulk Water Purchase	385,416.67
WATER Capital Outlay	
WATER Public Emp Retirement Sys (PERS)	
WATER Social Security (OASI)	9,171.33
TOTAL WATER UTILITY FUND	<u>439,075.27</u>

RESOLUTION R.324-072020

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

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

WHEREAS, many cases may be compromised, or as commonly referred to as being settled, with a net cost of refunded tax dollars which does not exceed \$7,500.00 for each tax year appealed; and

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

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

1. The Tax Assessor, upon review and approval of the Township's lawyer(s) responsible for handling tax appeals and the administration, is hereby authorized to direct the handling of real property tax appeals and related matters before the Middlesex county board of Taxation and the Tax Court of New Jersey, including by way of example, the filing and withdrawal of appeals on behalf of the Township of Edison, the filing and withdrawal of counter claims to appeals filed by property owners, the filing and withdrawal of motions on behalf of the Township of Edison, to direct and assist other professionals retained by the Township of Edison to assist with said matters, and to assist and direct other routine matters without prior Township council action, subject to the following conditions:
 - a. The Tax Assessor is hereby authorized to compromise tax litigation matters before the Middlesex county Board of Taxation and/or the Tax Court of New Jersey where the net refund of tax dollars does not exceed \$7,500 for each tax year appealed without prior Township Council action.
 - b. Should litigation before the Tax Court of New Jersey be cumulative for more than three years; net tax refund will not exceed \$25,000 without prior Township Council approval.
 - c. The Tax Assessor shall discharge these responsibilities in the best interest of the Township of Edison
2. This resolution will nullify and supersede Resolution R.071-02013
3. This resolution shall remain in force and effect until superseded by a subsequent Resolution.

RESOLUTION R.325-072020

Authorizing Cancellation and Refund of Taxes for Exempted Disabled Veteran

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

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

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

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

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

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

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

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted disabled parties for the taxes already paid during the applicable exemption periods set forth and for the amount specified in the attached list totaling **\$2,807.96**.

RESOLUTION R.326-072020

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO JOHNSTON COMMUNICATIONS FOR THE MAINTENANCE OF SECURITY CAMERAS AND/OR PURCHASE OF AVAYA EQUIPMENT FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need for the maintenance of the security cameras and/or purchase of Avaya Equipment for the Township of Edison; and

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

WHEREAS, the Union County Cooperative Pricing System hereinafter referred to as the "Lead Agency" has offered voluntary participation in a cooperative pricing system for the purchase of goods and services; and

WHEREAS, JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, P.O. Box 390, Kearny, NJ 07032, has been awarded Bid No. UCCP 41-2017 through State Coop #8UCCP, under Electronic Network Equipment, Security and Cabling; and

WHEREAS, the total amount of this Contract/Purchase Order(s), in the amount not to exceed \$15,000.00 cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$15,000.00 and any other necessary documents, with JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, P.O. Box 390, Kearny, NJ 07032 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-11 et seq. of the Local Public Contracts Law, Bid No. UCCP 41-2017 through State Coop #8UCCP, under Electronic Network Equipment, Security and Cabling.

RESOLUTION R.327-072020

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO EXCEL COMMUNICATIONS WORLDWIDE FOR THE PURCHASE AND INSTALLATION OF HARDWARE TO ADD FACEBOOK LIVE AND TO RECORD PUBLIC MEETINGS IN COUNCIL CHAMBERS FOR THE TOWNSHIP OF EDISON

WHEREAS, Township of Edison was in need of the installation of hardware to add Facebook live and to record public meetings in Council Chambers; and

WHEREAS, EXCEL COMMUNICATIONS WORLDWIDE, 325 Godshall Drive, Harleysville, PA 19438, submitted a quote in the amount of \$12,010.00; and

WHEREAS, for the previous twelve months, the Township expended \$8,441.25 with EXCEL COMMUNICATIONS WORLDWIDE and the current contract/Purchase Order in the amount not to exceed \$12,010.00 made a combined total amount of \$20,451.25 in a twelve month period; 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, EXCEL COMMUNICATIONS WORLDWIDE has 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 EXCEL COMMUNICATIONS WORLDWIDE from making any reportable contributions through the term of the contract; 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 \$12,010.00 have been certified to be available in Account Number T-13-00-0000-000-017; and

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

NOW, THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Mayor, or his designee, is hereby authorized to execute the Purchase order in the amount not to exceed \$12,010.00, and any other necessary documents, with EXCEL COMMUNICATIONS WORLDWIDE.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$12,010.00** are available for the above in Account No. **T-13-00-0000-000-017**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.328-072020

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE
ORDER TO CLEANING SERVICES OF HUDSON VALLEY, INC. FOR JANITORIAL SERVICES FOR THE EDISON
TOWNSHIP FREE PUBLIC LIBRARIES**

WHEREAS, Resolution 755-122019 awarded Contract No. 19-10-04 Janitorial Services for Edison Township Free Public Libraries to Quality Facility Solutions dba Quality Floorshine Corp. effective January 28, 2020; and

WHEREAS, due to unsatisfactory performance and noncompliance, the Township terminated the contract with Quality Facility Solutions dba Quality Floorshine Corp. on July 1, 2020; and

WHEREAS, quotes were solicited by the Township under RFP 20-06 - Janitorial Services for Edison Township Free Public Libraries until a new contract can be rebid and awarded for the Edison Township Free Public Libraries; and

WHEREAS, CLEANING SERVICES OF HUDSON VALLEY, INC., 55 Ramapo Road, Suite 88, Garnerville, NY 10923, submitted the lowest responsive and responsible quote; and

WHEREAS, this shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. Seq.; and

WHEREAS, CLEANING SERVICES OF HUDSON VALLEY, INC., was approved by the Public Library Board of Trustees at their Meeting of July 14, 2020; and

WHEREAS, funds in the amount Not to Exceed \$36,000.00 cannot be encumbered at this time; and

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

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

WHEREAS, the Township Council accepts the Library Boards recommendations as described herein.

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount Not to Exceed \$36,000.00, with CLEANING SERVICES OF HUDSON VALLEY, INC., 55 Ramapo Road, Suite 88, Garnerville, NY 10923 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 Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION R.329-072020

RESOLUTION REJECTING BID FOR MAINTNENACE AND REPAIR OF OFFICE EQUIPMENT

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on May 21, 2020, for Public Bid No. 20-02-10-Maintenance and Repair of Office Equipment with a bid opening date of June 18, 2020; and

WHEREAS, one bid was received; Ditto Copy Systems, 209 E. Elizabeth Avenue, Linden, NJ 07036; and

WHEREAS, the bid received by Ditto Copy Systems is being rejected by the Township of Edison due to non-completion of required forms; and

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

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

1. The bid for Public Bid No. 20-02-10-Maintenance and Repair of Office Equipment is hereby rejected.
2. The Purchasing Agent is hereby authorized to rebid said project.

RESOLUTION R.330-072020

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDERS TO CDW GOVERNMENT
INCORPORATED THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY
COOPERATIVE PRICING SYSTEM FOR A ONE YEAR RENEWAL FOR GPS REAL TIME TRACKING
SYSTEMS**

WHEREAS, the Township of Edison is renewing their maintenance for the period of September 1, 2020 through August 31, 2021 for GPS Real Time Tracking for Township's Vehicles; and

WHEREAS, this purchase is authorized under EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (FORMALLY MRESC) COOPERATIVE PRICING SYSTEM #ESCNJ 18/19-03 (Technology Supplies & Services) for which Edison Township is a member; and

WHEREAS, the total amount of this contract, not to exceed \$121,538.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount not to exceed \$121,538.00 with CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484, the approved Educational Services Commission of New Jersey Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

RESOLUTION R.331-072020

RESOLUTION APPROVING A QUALIFIED POOL OF ARCHITECTS ON AN AS-NEEDED BASIS FOR TOWNSHIP PROJECTS

WHEREAS, the Township of Edison issued a Request for Proposals for Architectural Services, RFP 20-03, seeking proposals from qualified individuals and firms to provide architectural services on an as-needed basis for Township projects; and

WHEREAS, the Township evaluated the responses submitted by various qualified individuals and firms to the Request for Proposals in accordance with the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* (the "Public Contracts Law"); and

WHEREAS, the Township desires to approve a qualified pool of architects on an as-needed basis for Township projects which shall include the following individuals and firms:

- 1) Paulus, Sokolowski and Sartor Engineering, PC (PS&S), 67A Mountain Boulevard Extension, Warren, NJ 07059;
- 2) RSC Architects, 3 University Plaza Drive, Suite 600, Hackensack, NJ 07601;
- 3) SSP Architectural Group, Inc., 1011 Route 22 West, Suite 203, Bridgewater, NJ 08807;
- 4) The Musial Group, PA, 191 Mill Lane, Mountainside, NJ 07092;
- 5) Settembrine Architects, 25 Bridge Avenue, Suite 201, Red Bank, NJ 07701;
- 6) USA Architects, Planners + Interior Designers, Ltd., 20 North Doughty Avenue, Somerville, NJ 08876;
- 7) Environetics Group Architects PC, 180 Sylvan Ave, Suite 3, Englewood Cliffs, NJ 07632;
- 8) DMR Architects, 777 Terrace Avenue, Suite 607, Hasbrouck Heights, NJ 07604;
- 9) H2M Architects & Engineers, Inc., 119 Cherry Hill Road, Suite 110, Parsippany, NJ 07054;
- 10) Kitchen & Associates Services, Inc., 756 Haddon Avenue, Collingswood, NJ 08108;
- 11) LAN Associates, Engineering, Planning, Architecture, Surveying, Inc., 445 Godwin Avenue, Suite 9, Midland Park, NJ 07432;
- 12) LSEA Corporation, 150 River Road, Suite E2, Montville, NJ 07045;
- 13) Netta Architects, LLC, 1084 Route 22 West, Mountainside, NJ 07092;
- 14) AECOM Architects & Engineers (NJ), Inc., 1255 Broad Street, Suite 201, Clifton, NJ 07013; and

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The aforementioned qualified pool of architects is approved on an as-needed basis for Township projects, subject to subsequent authorization by Council if and as needed.
3. This Resolution shall take effect immediately.

RESOLUTION R.332-072020

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

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

WHEREAS, VERIZON WIRELESS CELLCO PARTNERSHIP, One Verizon Way, Basking Ridge, NJ 07920 has been awarded State Contract Number 82583 under T-216A/Wireless Devices and Services; and

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

WHEREAS, the total amount of this contract for a twelve month period, not to exceed \$150,000.00 (for cell phones and for air cards), cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/Purchase Order(s) in the amount not to exceed \$150,000.00 and any other necessary documents, with VERIZON WIRELESS CELLCO PARTNERSHIP, One Verizon Way, Basking Ridge, NJ 07920, 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. 82583 under T-216A.

RESOLUTION R.333-072020

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CABLEVISION LIGHTPATH, INC. TO EXPAND THE TOWNSHIP'S BANDWIDTH TO SUPPORT THE REMOTE WORKFORCE AND SUPPORT EXPANDED VIDEO CONFERENCING

WHEREAS, the Township of Edison is in need of 1 giga bit fiber optic internet connection at the Municipal Complex to expand the bandwidth to support the remote workforce and support expanded video conferencing; and

WHEREAS, CableVision Lightpath, 1111 Stewart Ave, Bethpage, NY 11714 submitted a proposal to provide said services at an amount of \$21,300.00 per year for a period of three years for a total amount of \$63,900.00; and

WHEREAS, this purchase is authorized under EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (FORMALLY MRESC) COOPERATIVE PRICING SYSTEM #ESCNJ 17/18-45 (Digital Readiness for Learning & Assess. Project-Intern. Access & Telec) for which Edison Township is a member; and

WHEREAS, the total amount of this contract, not to exceed \$63,900.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount not to exceed \$63,900.00 (\$21,300.00 per year) with CableVision Lightpath, 1111 Stewart Ave, Bethpage, NY 11714, the approved Educational Services Commission of New Jersey Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

RESOLUTION R.334-072020

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township of Edison Council, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township of Edison Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township of Edison Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED by the Township of Edison, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Township of Edison Council does hereby authorize submission of a strategic plan for the Edison Municipal Alliance grant for fiscal year 2021(10/1/20-6/30/21) in the amount of:

DEDR	\$ 26,979.00
Cash Match	\$ 6,744.75
In-Kind	\$ 20,234.25

2. The Township of Edison Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Thomas Lankey, Mayor

CERTIFICATION

I, Cheryl Russomanno, Municipal Clerk of the Township of Edison of, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township of Edison Council on this 22 day of July, 2020.

Cheryl Russomanno, Municipal Clerk

RESOLUTION R.335-072020

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township of Edison Council, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township of Edison Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township of Edison Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Middlesex;

NOW, THEREFORE, BE IT RESOLVED by the Township of Edison, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Township of Edison Council does hereby authorize submission of a strategic plan for the Edison Municipal Alliance grant 5th Quarter (7/1/20-9/30/20) for fiscal year 2020_in the amount of:

DEDR	\$ 6,795.76
Cash Match	\$ 1,698.94
In-Kind	\$ 5,096.82

2. The Township of Edison Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Thomas Lankey, Mayor

CERTIFICATION

I, Cheryl Russomanno, Municipal Clerk of the Township of Edison of, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township of Edison Council on this 22 day of July, 2020.

Cheryl Russomanno, Municipal Clerk

RESOLUTION R.336-072020

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 412, Lot 5.04 (1000 Inman Avenue) should be designated as an “area in need of redevelopment.”

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

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

WHEREAS, the Municipal Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known on the Township tax maps as Block 412, Lot 5.04 (1000 Inman Avenue) (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

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

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

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

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

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

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment (non-condemnation). The notice of the hearing shall specifically state that the redevelopment area determination *shall not* authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condensation Redevelopment Area.

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

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

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.337-072020

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 546.NN, Lot 22 (a/k/a 19-21 Meridian Road) should be designated as an “area in need of redevelopment.”

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

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

WHEREAS, the Municipal Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known on the Township tax maps as Block 546.NN, Lot 22 (a/k/a 19-21 Meridian Road) (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

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

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

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

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

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

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condemnation Redevelopment Area.

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

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

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.338-072020

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the properties commonly known on the Township tax maps as Block 643.DD, Lots 27.H, 35 and 38 (a/k/a certain properties fronting Wood Avenue between Oak Tree Road and Hidden Valley Drive) should be designated as an “area in need of redevelopment.”

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

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

WHEREAS, the Municipal Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the properties commonly known on the Township tax maps as Block 643.DD, Lots 27.H, 35 and 38 (a/k/a certain properties fronting Wood Avenue between oak Tree Road and Hidden Valley Drive) (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

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

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

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

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

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

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condensation Redevelopment Area.

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

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

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.339-072020

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether all lots with frontage along Oak Tree Road, between Grove Avenue and Wood Avenue, satisfy the criteria to be designated ‘an area in need of redevelopment’ (non-condemnation) pursuant to Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

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

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

WHEREAS, the Municipal Council hereby requests that an investigation occur with respect to all lots with frontage along Oak Tree Road, between Grove Street and Wood Avenue in the Township (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment; and

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

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

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

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

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

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condensation Redevelopment Area.

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

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

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.340-072020

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 97.A, Lots 2, 3.A, 4.A, 5.A, 6.A, 7.A, 8, 9, 10.B, 10.C and 10.D (in the area of Edison Train Station, between Plainfield Avenue and Central Avenue) satisfies the criteria to be designated ‘an area in need of redevelopment’ (non-condemnation) pursuant to Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

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

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

WHEREAS, the Municipal Council hereby requests that an investigation occur with respect to the property commonly known as Block 97.A, Lots 2, 3.A, 4.A, 5.A, 6.A, 7.A, 8, 9, 10.B, 10.C and 10.D (in the area of Edison Train Station, between Plainfield Avenue and Central Avenue) on the tax map of the Township (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment; and

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

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

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

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

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

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically N.J.S.A. 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condensation Redevelopment Area.

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

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

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.341-072020

EXPLANATION: A Resolution authorizing the entering of a Shared Services Agreement with Township of Woodbridge for the purpose of deploying Recovery Specialists to opioid overdose victims within the Township of Edison.

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

WHEREAS, the Township of Woodbridge (“**Woodbridge**”) maintains the Woodbridge Opioid Overdose Recovery Program (the “**Program**”) for the purpose of deploying Recovery Specialists to opioid overdose victims; and

WHEREAS, the Township is desirous of obtaining the Program services for the victims of opioid overdoses within its borders; and

WHEREAS, the Township and Woodbridge are desirous of entering into an agreement pursuant to the Shared Services Act in which deploying Recovery Specialists to opioid overdose victims within the Township will be provided by Woodbridge or its agents (the “**Shared Services Agreement**”); and

WHEREAS, in exchange for providing the Program for a period of one (1) year, effective as of March 1, 2020 and continuing until February 28, 2021, the Township shall pay Woodbridge the amount of Six Thousand Dollars (\$6,000.00) per year as an administrative fee, paid on a quarterly basis, and an additional Three Hundred Dollars (\$300.00) per response by a Recovery Specialist; and

WHEREAS, the Shared Services Agreement can be terminated by either the Township or Woodbridge, for any reason, upon sixty (60) days’ notice to the other party; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) seeks to hereby authorize the Township’s entering and execution of the Shared Services Agreement.

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

- Section 1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.
- Section 2. The form of the Shared Services Agreement is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement on behalf of the Township. A copy of this Resolution and the executed Agreement shall be maintained on file with the Township Clerk.
- Section 3. The Township Clerk is hereby instructed to forward a copy of the signed Agreement to the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, for informational purposes, in accordance with the Shared Services Act.
- Section 4. This Resolution shall take effect immediately.

RESOLUTION R.342-072020

EXPLANATION:A resolution waiving a portion of the building permit fees for Catholic Charities of the Archdiocese of Newark for construction work to be performed at Block 748, Lot 36 (more commonly known as 635 Amboy Avenue, Edison, New Jersey).

WHEREAS, Catholic Charities of the Archdiocese of Newark (“Developer”), in connection with the proposed construction of a 42-unit affordable housing development for senior citizens in the Township of Edison (the “Township”), at Block 748, Lot 36 (more commonly known as 635 Amboy Avenue) (the “Project”) has requested a reduction of certain construction and building permit fees; and

WHEREAS, the Project requires various construction and building permit fees pursuant to the New Jersey State Uniform Construction Code, *N.J.S.A. 52:27D-119 et seq.* and *N.J.A.C. 5:23-1.1 et seq.*, of which the Township Code Section 14-1, *et seq.* allows for the waiver of only the Township’s portion of building permit fees; and

WHEREAS, the Municipal Council desires to waive fifty percent (50%) of the building permit fees, as the waiver of said fees will serve a public purpose and promote the public health, safety and welfare of the Township, and because Developer is a religious nonprofit organization; and

WHEREAS, Developer shall remain responsible for all other escrow fees and/or any New Jersey Department of Community Affairs fees required for the Project.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive the following fees and costs:

1. The Township’s portion of the various construction permit and inspection fees pursuant to the New Jersey State Uniform Construction Code, *N.J.S.A. 52:27D-119 et seq.* and *N.J.A.C. 5:23-1.1 et seq.*, and, Township Ordinance Section 14-1, *et seq.*, not to include any other escrow fees and/or any New Jersey Department of Community Affairs fees required for the Project, are waived.
2. Developer shall remain responsible for all other escrow fees and/or any New Jersey Department of Community Affairs fees required for the Project.
3. This Resolution shall take effect immediately.

RESOLUTION R.343-072020

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer’s Agreement with Federal Business Centers, with respect to Block 390CC, Lots 1 and 2, and Block 395, Lot 22 on the Edison Township Tax Map, and more commonly known as 255 Clover Place.

WHEREAS, Block 390CC, Lots 1 and 2, and Block 395, Lot 22, more commonly known as 255 Clover Place, as shown on the Township of Edison tax maps (the “**Property**”) was the subject of an application before the Zoning Board of Adjustment of the Township of Edison (hereinafter the “**Board**”) made by Federal Business Centers (“**Developer**”) for use (“d”) and bulk (“c”) variance relief, preliminary and final site plan and minor subdivision approval and amended site plan approval to allow a proposed parking lot as a principal use where parking lots are not permitted as a principal use and a bulk variance as to minimum floor area at the Property (the “**Project**”); and

WHEREAS, the Board granted approval for the Project by adoption of a resolution on May 12, 2020 (the “**Resolution**”); and

WHEREAS, the Township of Edison (the “**Township**”) and Developer desire to enter this Developer’s Agreement to establish the terms pursuant to which the Developer shall undertake construction on the Project, and related matters; and

WHEREAS, the Code of the Township of Edison requires the developer to enter into a Developer’s Agreement with the Township in connection with the Project; and

WHEREAS, the Developer’s Agreement attached hereto between the Township and Developer (the “**Agreement**”) has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the Developer.

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

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.
3. This Resolution shall take effect immediately.

RESOLUTION R.344-072020

EXPLANATION: This Resolution increases the budget for legal fees to be paid Apruzzese, McDermott, Mastro & Murphy, P.C. for its professional services as Township Special Labor Counsel.

WHEREAS, the Municipal Council (“**Municipal Council**”) of the Township of Edison (“**Township**”) has entered a professional services contract (“**Contract**”) with Apruzzese, McDermott, Mastro & Murphy, P.C. (“**Special Labor Counsel**”) to act as the Township’s special labor counsel for the term of one (1) year, pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, the Resolution of the Municipal Council approving the Contract established a budget for legal services for calendar year 2020; and

WHEREAS, the Municipal Council finds that the services provided under the Contract are important to the Township and that Special Labor Counsel was required to commit more time to the performance of its legal services than initially expected; and

WHEREAS, the Municipal Council desires to increase the amount available for legal services by an additional amount not to exceed \$25,000.00 and authorizes the payment to Special Labor Counsel for legal services under the Contract.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Budgeted Amount to be paid Special Labor Counsel for its legal services pursuant to the terms of the Contract is hereby increased by an amount not to exceed \$25,000.00. The Chief Financial Officer or his designee is hereby authorized to make payments to Special Labor Counsel under the Contract up to said amount.
3. The Mayor is hereby authorized to execute any amendments to the Contract to memorialize the increase of the Budgeted Amount, as may be required, in a form acceptable to the Township Attorney.
4. A certificate showing the availability of funds for the Contract will be provided by the Chief Financial Officer of the Township and is incorporated herein by reference indicating that the appropriation for the within expenditure is charged to the applicable accounts.
5. A copy of this Resolution and the Contract, and any amendments thereto, shall be available for public inspection at the offices of the Township Clerk.
6. This resolution shall take effect immediately.

RESOLUTION R.345-072020

A Resolution authorizing additional services from PS&S Integrated Services for the purpose of providing professional services related to noise monitoring and sound level readings in the community adjacent to the Amazon Fulfillment Center at the intersection of Route 27 and Vineyard Road in the Township.

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

WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, (the “**LPCL**”) authorizes the award of contracts for “Professional Services” without competitive bids; and

WHEREAS, the Township received a proposal for professional services related to noise monitoring and sound level readings in the community adjacent to the Amazon Fulfillment Center at the intersection of Route 27 and Vineyard Road, and authorized PS&S Integrated Services, 67A Mountain Boulevard Ext., Warren, New Jersey 07059 (“**PS&S**”) to provide the proposed services in accordance with the terms set forth in its proposal, dated April 22, 2020; and

WHEREAS, the Township has determined that additional services may be required to follow up on previously completed work, and PS&S has submitted a proposal for such additional work, dated July 16, 2020, and attached hereto as Exhibit A (the “**Proposal**”); and

WHEREAS, funds for the proposed services are available and shall be in an amount not to exceed Five Thousand Dollars (\$5,000.00), in furtherance of the Proposal.

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

- Section 1. The foregoing recitals are incorporated herein as if set forth in full.
- Section 2. The Township desires to authorize PS&S to perform additional professional services related to noise monitoring and sound level readings in the community adjacent to the Amazon Fulfillment Center at the intersection of Route 27 and Vineyard Road in the Township.
- Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute any necessary contract with PS&S in accordance with the terms set forth in the Proposal.
- Section 4. Funds for the services are available and shall be in an amount not to exceed Five Thousand Dollars (\$5,000.00).
- Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.
- Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be made available by the Township Clerk.
- Section 6. This Resolution shall take effect immediately.

RESOLUTION R.346-072020

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the property immediately adjacent to property fronting on the southerly side of Amboy Avenue, between Liddle Avenue and Brower Avenue, should be designated as an “area in need of redevelopment.”

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

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

WHEREAS, the Municipal Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the property immediately adjacent to property fronting on the southerly side of Amboy Avenue, between Liddle Avenue and Brower Avenue (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

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

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

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

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

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

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condemnation Redevelopment Area.

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

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

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.347-072020

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the properties immediately north and south adjacent to the existing Township marina along the Raritan River should be designated as an “area in need of redevelopment.”

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

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

WHEREAS, the Municipal Council believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the Planning Board to conduct an investigation of the properties immediately north and south adjacent to the existing Township marina along the Raritan River (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

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

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

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

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

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

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A. 40A:12A-6*, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the Township or Municipal Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condensation Redevelopment Area.

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

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

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.348-072020

EXPLANATION: This resolution provides refund of the construction permit fee, posted for roofing at Village Point Condominium Assoc.

WHEREAS, on January 30, 2020, a Construction Permit was issued for various permits for roofing job that was paid for in the amount of \$40,095.00, by Village Pointe Condo Association C/O Impac Property Management having offices at 440 Beckerville Road Manchester, NJ 08759;

WHEREAS, the application was submitted for a roofing job that has been cancelled, and is no longer performing this job;

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was paid for and it's appropriate that the permit fee be refunded to Village Pointe Condo Assn. in the amount of \$30,431.00 less DCA fee and 20 percent review fee. This amount of \$30,431.00 shall be refunded to Village Pointe Condo Assn. Inc., C/O Impac Property Management, 440 Beckerville Road, Manchester, N.J. 08759

WHEREAS, the Township Construction Official recommends the refund of Permit fee, less DCA fee and 20 percent review fee.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$30,431.00, on construction permit fees posted by Village Pointe Condo., Assn. Inc, C/O Impac Property Management, 440 Beckerville Road, Manchester, NJ, should be refunded in the amount of \$30,431.00

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$30,431.00 from the Refund of Revenue Fund to Village Pointe Condo. Assn Inc, C/O. Impac Property Management, 440 Beckerville Road, Manchester, NJ 08759

RESOLUTION R.349-072020

EXPLANATION: This resolution provides refund of the construction permit fee, posted for a senior, residing at 11 Oberlin Court, Edison N.J. 08820

WHEREAS, on May 4, 2020, a Construction Permit #2020-1163 was paid for in the amount of \$230.00 by Steven Brooks, residing at 11 Oberlin ct. Edison, NJ 08820;

WHEREAS, the application was submitted for Electrical work for a senior, located at 11 Oberlin Ct., Edison NJ 08820, Steven Brooks paid by check #2729 in the amount of \$230.00;

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a senior who paid on May 5th,2020 \$230.00 on check 2729 paid for and it is appropriate that the permit fee be refunded to resident Mr. Steven Brooks, in the amount of \$230.00 total construction permit fee Less \$5.00 DCA fee. This shall be refunded to the home owner residing at 11 Oberlin Ct, Edison, NJ 08820;

WHEREAS, the Township Construction Official recommends the refund of Permit fee, Permit #2020-1163, in the amount of \$225.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$225.00 on construction permit fees posted by Steven Brooks., 11 Oberlin Ct. Edison, NJ 08820;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$225.00 from the Refund of Revenue Fund to home owner Mr. Steven Brooks, 11 Oberlin Ct, Edison, NJ 08820 in the amount not to exceed \$225.00;

RESOLUTION R.350-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by CPV Shore LLC for the Planning Board application No. Z6-2013

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by CPV Shore LLC for a project located at Olympic Drive & Raritan River in Block 390.L Lot 12 and Application # Z6-2013 and

WHEREAS: the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance: and

WHEREAS; ON February 26, 2013, CPV Shore LLC posted fees on deposit with the Township of Edison in the account #7760296226 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$145.00, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to CPV Shore LLC; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$145.00 plus accrued interest, if applicable be refunded to CPV Shore LLC, 8403 Colesville Road, Suite 915, Silver Spring, MD 20910

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$145.00, plus accrued interest, if applicable, in account #7760296226 to the applicant.

RESOLUTION R.351-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Fox & Foxx Development for the Planning Board application No. P5186

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by Fox & Foxx Development for a project located at 940 Beatrice Parkway in Block 916 Lot 7,8 and Application # P5186 and

WHEREAS: the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance: and

WHEREAS; ON April 13, 2017, Fox & Foxx Development posted fees on deposit with the Township of Edison in the account #68391922 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$370.25, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Fox & Foxx Development; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum \$370.25 of plus accrued interest, if applicable be refunded to Fox & Foxx Development, 940 Amboy Avenue, Suite, 101, Edison, NJ 08837.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$370.25, plus accrued interest, if applicable, in account #68391922 to the applicant.

RESOLUTION R.352-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Kimley-Horn and Associates (Target) for the Planning Board application No. Z53-2017

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by Kimley-Horn and Associates for a project located at 100 Parsonage Road in Block 686 Lot 2.A and Application # Z53-2017 and

WHEREAS: the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance: and

WHEREAS; July 11, 2017, Kimley-Horn and Associates posted fees on deposit with the Township of Edison in the account # 68391959 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$589.00, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Kimley-Horn and Associates; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum \$589.00 of plus accrued interest, if applicable be refunded to Kimley-Horn and Associates, 421 Fayetteville Street, Raleigh, NC 27601.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$589.00, plus accrued interest, if applicable, in account # 68391959 to the applicant.

RESOLUTION R.353-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by New Jersey Carpenters Pension Fund for the Planning Board application No P4-2015.

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by New Jersey Carpenters Pension Fund for a project located at 75 Fieldcrest Avenue, Edison, NJ 08818 in Block 390.F, Lot 4 and Application # P4-2015 and

WHEREAS: the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance: and

WHEREAS; ON May 14, 2015, New Jersey Carpenters Pension Fund posted fees on deposit with the Township of Edison in the account # 776359516 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$9,708.74, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to New Jersey Carpenters Pension Fund; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$9,708.74 plus accrued interest, if applicable, be refunded to New Jersey Carpenters Pension Fund, Raritan Plaza II, Edison, **NJ 08818.**

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$9,708.74, plus accrued interest, if applicable, in account # 7763595196 to the applicant.

RESOLUTION R.354-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Fox & Foxx Development for the Planning Board application No. P5156

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by Fox & Foxx Development for a project located at 26 Calvert Street in Block 585, Lot 36-42B and Application # P5156 and

WHEREAS: the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance: and

WHEREAS; ON October 21, 2014 Fox & Foxx Development posted fees on deposit with the Township of Edison in the account #7763328894 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$356.75, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Fox & Foxx Development; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$356.75 plus accrued interest, if applicable be refunded to Fox & Foxx Development, 940 Amboy Avenue, Suite 101, Edison, NJ 08837.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$356.75, plus accrued interest, if applicable, in account #7763328894 to the applicant.

RESOLUTION R.355-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Gulberg Builders, LLC for the Planning Board application No. P5180

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by Gulberg Builders, LLC for a project located at Cutter Avenue in Block 604 Lot 4.01 and Application # P5180 and

WHEREAS: the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance: and

WHEREAS; ON October 17 2016, Gulberg Builders, LLC posted fees on deposit with the Township of Edison in the account #68391869 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$641.75, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Gulberg Builders, LLC: and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$641.75 plus accrued interest, if applicable be refunded to Gulberg Builders, LLC, 3830 Park Avenue, Edison, NJ 08820.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$641.75, plus accrued interest, if applicable, in account #68391869 to the applicant.

RESOLUTION R.356-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Macy's Corporation for the Planning Board application No. P4-2014.

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by Macy's Corporation for a project located at 401 Clearview Road in Block 390C Lot 20 and Application #P4-2014 and

WHEREAS: the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance: and

WHEREAS; ON March 24, 2014, Macy's Corporation posted fees on deposit with the Township of Edison in the account #7763090667 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$1,855.00, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Macy's Corporation; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum \$1,855.00 of plus accrued interest, if applicable be refunded to Macy's Corporation, 2101 East Kemper Road, Sharonville, OH 45241.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$1,855.00, plus accrued interest, if applicable, in account #7763090667 to the applicant.

RESOLUTION R.357-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Ultimate Collision Repair Inc. for the Planning Board application No Z34-2014.

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by Ultimate Collision Repair, Inc. for a project located at 1115 US Highway One, Edison, NJ 08837 in Block 201, Lot 17 and Application # Z34-2014 and

WHEREAS: the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance: and

WHEREAS; ON July 1, 2014, Ultimate Collision Repair, Inc. posted fees on deposit with the Township of Edison in the account #7763328688 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$55.75, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Ultimate Collision Repair Inc; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$55.75 plus accrued interest, if applicable be refunded to Ultimate Collision Repair, Inc., 1115 US Highway One, Edison, NJ 08837.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$55.75, plus accrued interest, if applicable, in account #7763328688 to the applicant.

RESOLUTION R.358-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Viswanath Ravindra for the Planning Board application No. P5170

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by Viswanath Ravindra for a project located at 127 Mundy Avenue in Block 628, Lot 32.A and Application #P5170 and

WHEREAS; the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance: and

WHEREAS; ON April 27, 2016, Viswanath Ravindra posted fees on deposit with the Township of Edison in the account # 7763939964 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$ \$43.75, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Viswanath Ravindra; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$43.75 plus accrued interest, if applicable be refunded to Viswanath Ravindra, 55 Todd Circle, North Brunswick, NJ 08902.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$43.75, plus accrued interest, if applicable, in account # 7763939964 to the applicant.

RESOLUTION R.359-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by W. Lane Miller for the Planning Board application No. P29-06/07

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by W. Lane Miller for a project located at 401 Clearview Road in Block 390C, Lot 20 and Application # P29-06/07 and

WHEREAS: the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance: and

WHEREAS; ON May 21, 2007, W. Lane Miller posted fees on deposit with the Township of Edison in the account #7760216739 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$1,116.65, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to W. Lane Miller; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$1,116.65 plus accrued interest, if applicable, be refunded to W. Lane Miller, 1203 Route 9, Woodbridge, NJ 07095.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$1,116.65, plus accrued interest, if applicable, in account # 7760216739 to the applicant.

RESOLUTION R.360-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Wardlaw-Hartridge School for the Planning Board application Concept

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by Wardlaw-Hartridge School for a project located at 1295 Inman Avenue in Block 415, Lot 9E5, 9J1 and Application Concept and

WHEREAS: the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance: and

WHEREAS; ON November 23, 2015, Wardlaw-Hartridge School posted fees on deposit with the Township of Edison in the account #7763595617 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$387.50, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Wardlaw-Hartridge School; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$387.50 plus accrued interest, if applicable be refunded to Wardlaw-Hartridge School, 1295 Inman Avenue, Edison, NJ 08820.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$387.50, plus accrued interest, if applicable, in account #7763595617 to the applicant.

RESOLUTION R.361-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Westbrook Estates, LLC for the Planning Board application No. P5159

WHEREAS, The Township Planning Board Secretary advised that the Developer Escrow Fees posted by Westbrook Estates, LLC for a project located at 113 Oakland Avenue in Block 221 Lot 15, 16, 17 and Application # P5159 and

WHEREAS; the applicant was required to Post Developers Escrow Fees, pursuant to Township Ordinance: and

WHEREAS; ON 3/4/2015, Westbrook Estates, LLC posted fees on deposit with the Township of Edison in the account # 7763329115 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$52.75, plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Westbrook Estates, LLC; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum \$52.75 of plus accrued interest, if applicable be refunded to Westbrook Estates, LLC, 615 Wood Glenn Road, Glen Garden, NJ 08826.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$52.75, plus accrued interest, if applicable, in account # 7763329115 to the applicant.

RESOLUTION R.362-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by Beechwood Shopping Center for the Planning Board application No P8-2015

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by Beechwood Shopping Center for a project located at 265 Wood Avenue , Edison, N.J. 08820 in Block 396, Lot 5.01 and Application # P8-2015; and

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

WHEREAS; on July 7,2015 Suburban Development posted fees on deposit with the Township of Edison in the account # 7763595336 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$ 18.75 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Beechwood Shopping Center; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$ 18.75 plus accrued interest, if applicable be refunded to Beechwood Shopping Center LLC., 1260 Stelton Road , Piscataway, NJ 08854

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 18.75, plus accrued interest, if applicable, in account #7763595336 to the applicant.

RESOLUTION R.363-072020

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by JSM at Inman for the Zoning Board Application No Z11-2016

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by JSM at Inman for a project located at 976 Inman Avenue ,Edison, N.J. 08820 in Block 412, Lot 3F.2 and Application # Z11-2016; and

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

WHEREAS; on February 19,2016 posted fees on deposit with the Township of Edison in the account # 7763939740 for Developers Escrow Fees; and

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

WHEREAS; it is now in order that the sum \$ 58.75 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to JSM at Inman; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$ 58.75 plus accrued interest, if applicable be refunded to JSM at Inman., 1260 Stelton Road , Piscataway, NJ 08854

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 58.75, plus accrued interest, if applicable, in account #7763939740 to the applicant.

RESOLUTION R.364-0720250

**EXPLANATION: Resolution Refunding Engineering Inspection Fees to Knock on Wood Application P5012
Account #7760296007**

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject located in Block: 590.M Lot: 14.B,15-18

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

WHEREAS, it is in now in order that the sum of **\$2,093.22**, which represents the amount due and owing the applicant, be returned to Knock on Wood , 111 West Indiana Avenue, Iselin, ,NJ 08830 Account #7760296007

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of **\$2,093.22** plus accrued interest, if applicable, be refunded to the applicant, Account #7760296007

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of **\$2,093.22** in account # **7760296007** to the applicant, having an address of Knock on Wood, 111 West Indiana Avenue , Iselin, NJ, 08830

RESOLUTION JR.365-072020

EXPLANATION: Resolution Refunding Engineering Inspection Fees to Knock on Wood Application P5104
Account #7760296014

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject located in Block: 351.E Lot: 21.01,24.01

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

WHEREAS, it is in now in order that the sum of **\$133.98**, which represents the amount due and owing the applicant, be returned to Knock on Wood , 111 West Indiana Avenue, Iselin, ,NJ 08830 Account #7760296014

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of **\$133.98** plus accrued interest, if applicable, be refunded to the applicant, Account #7760296014

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of **\$113.98** in account # **7760296014** to the applicant, having an address of Knock on Wood, 111 West Indiana Avenue , Iselin, NJ, 08830

RESOLUTION R.366-072020

**EXPLANATION: Resolution Refunding Engineering Inspection Fees to Fed Ex Ground Package System
Application P12-2019, Account #EI180823FE**

47.B **WHEREAS**, the Township Engineer advises that a final inspection was made on the above subject located in Block: 390 Lot:

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

WHEREAS, it is in now in order that the sum of **\$34,106.25**, which represents the amount due and owing the applicant, be returned to Fed Ex Ground System , 1000 Fed Ex Drive, Moon Township, PA,15230 Account #**EI180823FE**.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of **\$34,106.25** plus accrued interest, if applicable, be refunded to the applicant, Account #**EI18023FE**

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of **\$34,106.25** in account # **EI18023FE** to the applicant, having an address of Fed Ex Ground ,1000 Fed Ex Drive, Moon Township, PA 15230

RESOLUTION R.367-072020

EXPLANATION: This resolution provides for refund of the construction permit fee, less the DCA fee & Review fee, posted for a residential Solar installation permit at 56 Rieder Road, Edison, NJ 08817

WHEREAS, on March 6, 2020 a Construction Permit,# 2020-0694, check #790993, was posted in the total amount of \$367.00 by the contractor, Tesla Energy., having offices at 1 Chapin Road Unit 4, Pine Brook, NJ 08837; and

WHEREAS, the application was submitted for a Solar Installation at 56 Rieder Road Edison, NJ 08817 By the hired contractor, Tesla Energy, The resident has cancelled the job.

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was never done and the contractor is asking for a refund of permit cost in the amount of \$367.00 less DCA fee of \$17.00, less 20 percent of review fee \$70.00, the total refund in the amount of \$280.00 is the total refund for Tesla Energy, having offices at 1 Chapin Road Unit 4, Pine Brook, NJ 08837

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2020-0694, in the amount of \$280.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$280.00 on construction permit fees posted by Tesla Energy, having offices at 1 Chapin Road Unit 4, Pine Brook, N.J. 08837, be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$280.00 from the Refund of Revenue Fund to the Contractor, Tesla Energy Operations Inc., having offices at 1 Chapin Road Unit 4, Pine Brook, N.J. 08837

RESOLUTION 368-072020

EXPLANATION: Resolution Returning the Cash Performance Guarantee to Vijayabalan and Balaji , Edison, NJ 08820 for a single family on 3 Hayduk Drive, Edison, NJ 08820 , Account # 7761417083

WHEREAS, Vijayabalan and Balaji ,3 Hayduk Drive, Edison, NJ 08820; Enclosed is a Cash Performance Guarantee dated January 27,2011 check # 10146435 in the amount of \$8,150.00 posted by Vijayabalan and Balaji , 3 Hayduk Drive , Edison ,08820.

WHEREAS, an inspection has been revealed all improvements to be complete and in conformance to township standards: therefore, it is now in order that final acceptance is granted and the Cash Performance Bond Guarantee presently being held by the Township be released.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance Guarantee in the amount of **\$ 8,150.00 plus accrued interest to** Vijayabalan and Balaji of 3 Hayduk Drive , Edison , 08820 . Account Number **#7761417083**

RESOLUTION R.369-072020

EXPLANATION: Refunding Cash Performance JSM Beechwood, Woodbridge Avenue and College Drive, Edison ,NJ 08817
Application #P27-03/04

WHEREAS, a Cash Performance Bond was posted on October 24, 2012,Ck# 123392 in the amount of **\$4,660.56**, on deposit in account #**7762495120**; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$4,660.56** plus accrued interest, if applicable, on deposit in account # **7762495120** to the applicant having offices at Edgewood Properties ,1260 Stelton Road, Piscataway, NJ, 08854

RESOLUTION R.370-072020

EXPLANATION: Resolution Returning the Performance Bond to Edison Enterprises LLC. , 860 New Durham Road, Edison, NJ 08817 Application #Z08-2016-2016 and Performance Surety Bond # AL100879

WHEREAS, Edison Enterprises LLC. posted; Performance Surety Bond # AL100879 dated February 28, 2017 of The First Indemnity Insurance Co, in the amount of \$728,650.08, posted by Edison Enterprises LLC. This is the surety portion of the performance guarantee.

WHEREAS, also to be returned, Cash Performance Bond to Edison Enterprises LLC. 860 New Durham Road , Edison , NJ, 08817 in account #CP170315RE with amount to be returned \$ 80,961.12 plus accrued interest is applicable.

WHERE, an inspection has been revealed all improvements to be complete and in conformance to township standards: therefore, it is now in order that final acceptance is granted and the Performance Bond presently being held by the Township be released.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Surety Bond # **AL100879** in the amount of **\$ 728,650.08** to The First Indemnity Insurance Company, 2770 Route 10, West , Suite 205 , Morris Plains, NJ 07950.

RESOLUTION R.371-072020

EXPLANATION: This resolution provides refund of the construction permit fee, posted for repair work from water damage for a senior, residing at 64 Dellwood Road, Edison N.J. 08820

WHEREAS, on October 4, 2019, a Construction Permit #2019-3638 was paid for in the amount of \$670.00 by Angela Adams, residing at 64 Dellwood Road, Edison, NJ 0880;

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was paid for and it is appropriate that the permit fee be refunded to Angela Adams, in the amount of \$670 total construction permit fee, less \$47.00 DCA fee. This shall be refunded to the home owner residing at 64 Dellwood Road, Edison, NJ 08820

WHEREAS, the Township Construction Official recommends the refund of Permit fee for #2019-3638, in the amount of \$623.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$623.00 on construction permit fees posted by Angela Adams, 64 Dellwood Road, Edison, NJ 08820;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$623.00 from the Refund of Revenue Fund to the home owner Angela Adams, 64 Dellwood Road, Edison, NJ 08820;

RESOLUTION R.372-072020

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 Direct Title, 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 13 Liddle Avenue, Edison, NJ, known as Block 757, Lot 41, 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 Shu-Lan Hwang, the Buyer(s), 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 Direct Title, 400 West Main Street, Freehold, NJ 07728, for the purposes set forth herein and authorizes the execution of an Agreement between the Township and Shu-Lan Hwang, 13 Liddle Avenue, Edison, NJ 08837 with respect to such grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.373-072020

RESOLUTION AWARDING CONTRACT TO TRIAD ASSOCIATES FOR CDBG CONSULTING SERVICES

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on June 9, 2020 for RFP 20-05-CDBG Consulting Services for a bid opening date of July 1, 2020 and two (2) proposals were received; and

WHEREAS, after review and evaluation of said proposals, it has been recommended by the Township that the contract be awarded to TRIAD ASSOCIATES, 1301 W. Forest Grove Rd., Suite 3A, Vineland, NJ 09360; and

WHEREAS, the total amount shall not exceed \$75,000.00, 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 proposals have been reviewed, and the proposal submitted by TRIAD ASSOCIATES, 1301 W. Forest Grove Rd., Suite 3A, Vineland, NJ 09360, for CDBG Consulting Services, is in the best interest of the Township.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$75,000.00 with TRIAD ASSOCIATES as described herein.

RESOLUTION R.374-072020

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No.18-07-02 VARIOUS DRAINAGE AND ROADWAY IMPROVEMENTS (PHASE 1) and authorizes FINAL CONTRACT PAYMENT for release of retainage in the amount of \$17,327.00.

WHEREAS, the Township of Edison advertised for a construction contract for Public Bid: 18-07-02: VARIOUS DRAINAGE AND ROADWAY IMPROVEMENTS (PHASE 1), Township of Edison, Middlesex County, New Jersey; and

WHEREAS, Z-Brothers Concrete Cont. Inc., 304 Jernee Mill Road, Sayreville, NJ 08872 was awarded a construction contract through resolution R.386-072018 in a contract amount not to exceed \$1,156,295.97 for the project and

WHEREAS, the Township Engineer has reviewed the project and certifies the construction work has been completed, a two-year (2-Year) maintenance bond, in an amount equal to 100% of the final as-built construction cost of \$866,349.89 for the project has been received.

WHEREAS, the Township Engineer recommends acceptance of the project, release of the performance bond, and final payment including retainage be made to Z-Brothers Concrete Cont. Inc., in the amount of \$17,327.00 for a total construction contract as-built cost of \$866,349.89.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the project under Public Bid No. 18-07-02: VARIOUS DRAINAGE AND ROADWAY IMPROVEMENTS (PHASE 1), is deemed accepted by the Township of Edison, New Jersey, the project subject to the provisions of the maintenance bond, and that the performance bond may be released and that final payment, including retainage, shall be made to Z-Brothers Concrete Cont, Inc., in an amount no to exceed \$17,327.00 for a total construction contract as-built cost of \$866,349.89, and any unused funds be unencumbered.

RESOLUTION R.375-072020

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 18-30-02: 2018 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2; and authorizes FINAL CONTRACT PAYMENT for release of retainage in the amount of \$35,525.82 and close-out of the construction project.

WHEREAS, the Township of Edison advertised for a construction contract for Public Bid: 18-30-02: 2018 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2, Township of Edison, Middlesex County, New Jersey; and

WHEREAS, Z-Brothers Concrete Cont. Inc., 304 Jernee Mill Road, Sayerville, NJ 08872 was awarded a construction contract through resolution R.318-062018 in a contract amount not to exceed \$1,881,985.17 for the project; and

WHEREAS, the Township Engineer has reviewed the project and certifies the construction work has been completed, a two-year (2-year) maintenance bond, in an amount equal to 100% of the final as-built construction cost of \$1,776,290.86 for the project has been received.

WHEREAS, the Township Engineer recommends acceptance of the project, release of the performance bond, and final payment including retainage be made to Z-Brothers Concrete Cont. Inc., in an amount of \$35,525.82 for a total construction co

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the project under Public Bid No. 18-30-02: 2018 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2, is deemed accepted by the Township of Edison, New Jersey, the project subject to the provisions of the maintenance bond, and that the performance bond may be released and that final payment, including retainage, shall be made to Z-Brothers Concrete Cont. Inc., in an amount not to exceed \$35,525.82 for a total construction contract as-built cost of \$1,776,290.86, and any unused funds be unencumbered.

RESOLUTION R.376-072020

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000317, to the following:

Permit Number: DEV-0056

Opening Location: 92 ETHEL RD

Block/Lot: 20/4.E & 20/9

Applicant's Name & Address:

**STAR TRACK REALITY / PROJECT ETHEL LLC
894 GREEN ST
ISELIN, NJ 08830**

Initial Deposit Date: 10/26/2018

Deposit Amount: \$ 5,720.00

Paid by & refunded to:

**STAR TRACK REALITY / PROJECT ETHEL LLC
894 GREEN ST
ISELIN, NJ 08830**

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

RESOLUTION R.377-072020

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000451, to the following:

Permit Number: DEV- 20 - 0207

Opening Location: 142 WINTHROP RD

Block/Lot: 1152/10

Applicant's Name & Address:

**FOX AND FOXX DEVELOPMENT, LLC
940 AMBOY AVE, STE 101
EDISON, NJ 08837**

Initial Deposit Date: 03/27/2020

Deposit Amount: \$ 1,080.00

Paid by & refunded to:

**FOX AND FOXX DEVELOPMENT, LLC
940 AMBOY AVE, STE 101
EDISON, NJ 08837**

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

RESOLUTION R.378-072020

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000427, to the following:

Permit Number: DEV- 20 - 0181

Opening Location: 144 HARDING AVE

Block/Lot: 556.C/6.A

Applicant's Name & Address:

**MARKIM DEVELOPERS LLC
910 AMBOY AVE
EDISON NJ 08837**

Initial Deposit Date: 01/31/2020

Deposit Amount: \$3,000.00

Paid by & refunded to:

**MARKIM DEVELOPERS LLC
910 AMBOY AVE
EDISON NJ 08837**

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

RESOLUTION R.379-072020

WHEREAS, Edison's public parks are a valuable green/sustainable asset, as they afford opportunities for recreation, exercise and socialization in open spaces to its children and general population; and

WHEREAS, as a result of typical wear and tear from twenty years of continuous use by the public-at-large, the following *three* (3) of Edison's thirty-one (31) public parks are in need of various degrees of equipment and grounds repair, replacement and renovation in order to achieve compliance with the current New Jersey Playground Safety Subcode: *Minnie E. Veal Park, Papianni Park* and *Yelencics Park*; and

WHEREAS, the Middlesex County Open Space, Recreation and Farmland and Historic Preservation Trust Fund has Municipal Recreation Grants that can provide approximately *\$240,120.00* of grant funds for the estimated *\$480,240.00* multi-site, green/sustainable project on a \$1 to \$1 cash match, reimbursable basis; and

WHEREAS, additional grant funds for this project shall be researched developed from other public and private resources (e.g.: Swales Family Memorial Foundation); and

WHEREAS, it is anticipated that as a result of the completion of work at the above-cited three (3) of thirty-one (31) Township of Edison public parks, their safety and continuing use shall increase; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of the viable application to the Middlesex County Open Space, Recreation and Farmland and Historic Preservation Trust Fund for a Municipal Recreation Grant for approximately *\$240,120.00* for this estimated *\$480,240.00* multi-site, green/sustainable project on a \$1 to \$1 cash match, reimbursable basis, as well as for other related public and private grants, at a regularly-scheduled, Edison Municipal Council Work Session on the evening of *Monday, July 20, 2020* and subsequent Public Meeting on the evening of *Wednesday, July 22, 2020*.

RESOLUTION R.380-072020

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO H. A. DEHART & SON, INC. FOR REFUSE COLLECTION EQUIPMENT PARTS/ACCESSORIES (NEW WAY BRAND)

WHEREAS, bids were received by the Township of Edison on June 19, 2020 for Public Bid No. 20-08-21A- Refuse Collection Equipment Parts/Accessories (New Way Brand) for the Department of Public Works; and

WHEREAS, H.A. DEHART & SON, INC., 311 Crown Point Rd., Thorofare, NJ 08086, submitted the lowest legally responsible, responsive bid for Item No. 2 of the bid as listed on the spreadsheet; and

WHEREAS, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$10,000.00, 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 H.A. DEHART & SON, INC., 311 Crown Point Rd., Thorofare, NJ 08086, for Refuse Collection Equipment Parts/Accessories (New Way Brand) for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid for Item No. 2 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 \$10,000.00 for the first year and any succeeding renewal year and any other necessary documents, with H.A. DEHART & SON, INC. as described herein.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received or bids where rejected.

RESOLUTION R.381-072020

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO IPL, INC. FOR THE PURCHASE OF 95 GALLON GREEN AUTOMATED/SEMI-AUTOMATED REFUSE CONTAINERS

WHEREAS, bids were received by the Township of Edison on September 13, 2019 for Public Bid No. 19-04-25-Automated/Semi-Automated Refuse Containers; and

WHEREAS, IPL, INC., 140 Rue Commerciale, Saint-Damien-de-Buckland, QC, Canada, submitted the lowest legally responsible, responsive bid; and

WHEREAS, Resolution R. 590-102019 authorized the award of a contract to IPL, INC. for the purchase of 95 Gallon Green Automated/Semi-Automated Refuse Containers and Additional Lids; and

WHEREAS, the contract allows for additional purchases within the life of the contract and the Township wishes to purchase additional containers under this contract and provision; and

WHEREAS, the maximum amount of the purchase shall not exceed \$21,021.00 for 462 containers, and

WHEREAS, funds in the amount of \$21,021.00 have been certified to be available in the Solid Waste Recycling Tonnage Grant Account, Number G-02-19-0290-787-000; 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, the Mayor, or his designee, is hereby authorized to execute a contract and any other necessary documents, with IPL, INC., 140 Rue Commerciale, Saint-Damien-de-Buckland, QC, Canada, as described herein, in the amount not to exceed \$21,021.00 for additional 95 Gallon Green Automated/Semi-Automated Refuse Containers in accordance with Contract No. 19-04-25.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$21,021.00** are available for the above contract in Account No. **G-02-19-0290-787-000**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.382-072020

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO DANO ENTERPRISES
FOR THE FURNISHING AND DELIVERY OF LEAF BAGS FOR TOWNSHIP CURBSIDE LEAF REFUSE
COLLECTION**

WHEREAS, bids were received by the Township of Edison on July 8, 2020 for Public Bid No. 20-05-27- Leaf Bags for the Department of Public Works; and

WHEREAS, DANO ENTERPRISES, 4 Omega Drive, Stamford, CT 06907, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the maximum amount of the purchase shall not exceed \$75,960.00; and

WHEREAS, funds for this purchase have been certified to be available in the Solid Waste Recycling Tonnage Grant as follows:

G-02-16-0290-787-000 - \$600.00
G-02-18-0290-787-000 - \$8,580.42
G-02-19-0290-787-000 - \$66,779.58; 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 DANO ENTERPRISES, 4 Omega Drive, Stamford, CT 06907, for the furnishing and delivery of leaf bags, has been 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 \$75,960.00, and any other necessary documents, with Dano Enterprises as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$75,960.00** are available for the above contract as follows:

G-02-16-0290-787-000 - \$600.00
G-02-18-0290-787-000 - \$8,580.42
G-02-19-0290-787-000 - \$66,779.58

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.383-072020

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT/PURCHASE ORDER TO MOTT
MACDONALD LLC FOR THE PURPOSE OF PROVIDING ENGINEERING SERVICES FOR THE FORD/MILLBROOK
PUMP STATION REPLACEMENT**

WHEREAS, the Township is in need of a professional engineer to provide engineering services in connection with the Ford/Millbrook Pump Station Replacement; and

WHEREAS, Mott MacDonald, 111 Wood Avenue, South Iselin, New Jersey 08830 submitted a proposal to provide said services at a price not to exceed \$333,000.00; and

WHEREAS, funds in the amount of \$333,000.00 have been certified to be available in the Sewer Capital Improvements Projects, Account Number 0-07-55-0501-000-117; and

WHEREAS, before entering into a contract, Mott Macdonald, 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 Mott Macdonald from making any reportable contributions through the term of this one year 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 Mayor, or his designee, is hereby authorized to execute a contract in an amount not to exceed \$333,000.00 and any other necessary documents with Mott MacDonald LLC, 111 Wood Avenue South, Iselin, New Jersey 08830 for engineering services in connection with the Ford/ Millbrook Pump Station Replacement as described herein.
2. 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 **\$333,000.00** have been certified to be available in Account Number **0-07-55-0501-000-117**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.384-072020

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO WARSHAUER GENERATOR LLC FOR THE PURCHASE OF TWO (2) GENERAC LIGHT TOWERS FOR THE EDISON WATER UTILITY

WHEREAS, there is a need to purchase two (2) Generac Light Towers for the Edison Water Utility; and

WHEREAS, WARSHAUER GENERATOR LLC, 800 Shrewsbury Avenue, Tinton Falls, NJ 07724, has been awarded State Contract Number 19-FLEET-00839 under G4014 Mobile Light Towers for this purchase; and

WHEREAS, the Township intends to purchase these under State Contract Number 19-FLEET-00839/G4014 in the total amount of \$18,200.00 (\$9,100.00 ea.); 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, funds in the amount of \$18,200.00 have been certified to be available in the Various Capital Improvements Account, No. C-06-19-2055-002-000; 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. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$18,200.00 and any other necessary documents, with WARSHAUER GENERATOR LLC, 800 Shrewsbury Avenue, Tinton Falls, NJ 07724, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, number 19-FLEET-00839/G4014.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$18,200.00** are available for the above in Account No. **C-06-19-2055-002-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.385-072020

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO MUNICIPAL MAINTENANCE CO. FOR A WEG ELECTRIC MOTOR FOR THE EVERGREEN PUMP STATION FOR THE DIVISION OF SEWERS

WHEREAS, quotes were solicited by the Township of Edison for a WEG electric motor for the Evergreen Pump Station; and

WHEREAS, MUNICIPAL MAINTENANCE CO., 1352 Taylors Lane, Cinnaminson, NJ 08077 submitted the lowest quote in the amount of \$16,410.00; and

WHEREAS, for the previous twelve months, the Township expended \$16,410.00 with MUNICIPAL MAINTENANCE CO., and the current contract/Purchase Order in the amount not to exceed \$16,410.00 make a combined total amount of \$32,820.00 in a twelve month period; 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, MUNICIPAL MAINTENANCE CO. 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 MUNICIPAL MAINTENANCE CO. from making any reportable contributions through the term of the contract; 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 \$16,410.00 have been certified to be available in the Sewer Maintenance of Other Equipment, Account Number 0-07-55-0501-000-026; 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. All quotes have been reviewed, and the quote by MUNICIPAL MAINTENANCE CO., 1352 Taylors Lane, Cinnaminson, NJ 08077, for a WEG electric motor for the Evergreen Pump Station is determined to be the lowest quote.
2. The Mayor, or his designee, is hereby authorized to execute a purchase order in the amount not to exceed \$16,410.00, and any other necessary documents, with MUNICIPAL MAINTENANCE CO.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$16,410.00** are available for the above in Account No. **0-07-55-0501-000-026**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.386-072020

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE THE CHASSIS FOR ONE (1) NEW AND UNUSED 2020 OR NEWER FORD F-550 DIESEL SUPER CAB DUMP TRUCK WITH OPTIONS FROM ROUTE 23 AUTOMALL THROUGH NEW JERSEY STATE CONTRACT FOR THE WATER DEPARTMENT

WHEREAS, the Township of Edison, Water Department, is in need of one (1) new and unused 2020 Ford F-550 Diesel Super Cab Dump Truck with options and will purchase it from Route 23 Automall (chassis) and Tony Sanchez Ltd. (body); and

WHEREAS, ROUTE 23 AUTOMALL, 1301 Route 23, Butler, NJ 07405 has been awarded State Contract Number 17-FLEET-00241 under T-3063 Universal Truck, 19,500 lb. GVWR Crew Cab & Chassis, DRW, 4WD; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with ROUTE 23 AUTOMALL, for the purchase of the chassis for one (1) new and unused 2020 Ford F-550 Diesel Super Cab Dump Truck with options under this contract; and

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

WHEREAS, the total amount of this contract shall not to exceed \$55,084.00; and

WHEREAS, funds in the amount of \$55,084.00 have been certified to be available in Various Capital Improvement & Start up Costs Account, Number 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. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$55,084.00 and any other necessary documents, with ROUTE 23 AUTOMALL, 1301 Route 23, Butler, NJ 07405 for the chassis, 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. 17-FLEET-00241 under T-3063.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$55,084.00** are available for the above contract in Account No. **C-06-19-2055-001-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.387-072020

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE THE BODY FOR ONE (1) NEW AND UNUSED 2020 OR NEWER FORD F-550 DIESEL SUPER CAB DUMP TRUCK WITH OPTIONS FROM TONY SANCHEZ LTD. THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE WATER DEPARTMENT

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

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

WHEREAS, the Township of Edison, Water Department, is in need of one (1) new and unused 2020 Ford F-550 Diesel Super Cab Dump Truck with options and will purchase it from Route 23 Automall (chassis) and Tony Sanchez Ltd. (body); and

WHEREAS, TONY SANCHEZ LTD., 1685 US Route 46, Ledgewood, NJ 07852 has been awarded Contract #ESCNJ 17/18-30 – Trucks-26,000 lbs. GVW or Greater under NJ state approved coop #65MCECCPS; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with TONY SANCHEZ LTD., for the purchase of the body for one (1) new and unused 2020 Ford F-550 Diesel Super Cab Dump Truck with options; and

WHEREAS, the total amount of this contract shall not to exceed \$24,350.00; and

WHEREAS, funds in the amount of \$24,350.00 have been certified to be available in Various Capital Improvement & Start up Costs Account, Number 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. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$24,350.00, and any other necessary documents, with TONY SANCHEZ LTD., the approved Educational Services Commission of New Jersey vendor through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$24,350.00** are available for the above in Account No. **C-06-19-2055-001-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.388-072020

RESOLUTION REJECTING BID FOR WATER UTILITY SUPPLIES AND EQUIPMENT REBID

WHEREAS, the Township of Edison advertised for bids by public notice published in the Home News on June 18, 2020, for Public Bid No. 20-02-21RR Water Utility Supplies and Equipment with a bid opening date of July 2, 2020; and

WHEREAS, one bid was received; Gamka Sales Co. Inc., 983 New Durham Road, Edison, NJ 08817; and

WHEREAS, the bid received by Gamka Sales Co. Inc. is being rejected by the Township of Edison due to non-completion of required forms; and

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

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

1. The bid for Public Bid No. 20-02-21RR Water Utility Supplies and Equipment is hereby rejected.
2. The Purchasing Agent is hereby authorized to rebid said project.

RESOLUTION R.389-072020

RESOLUTION AUTHORIZING CHANGE ORDER # 1 FOR CONTRACT NO. 18-06-11 WITH LONGO ELECTRICAL-MECHANICAL FOR EVERGREEN PUMPING STATION PRIORITY REPAIRS

WHEREAS, Resolution R.505-092018 dated September 12, 2018 authorized a contract with LONGO ELECTRICAL-MECHANICAL, INC., 1 Harry Shupe Blvd, Wharton, NJ 07885 for Evergreen Pumping Station Priority Repairs in the amount of \$1,028,525.00; and

WHEREAS, Change Order #1 is needed because valves that were slated to be repaired under the contract are over 20 years old, are obsolete, cannot be repaired and need to be replaced; and

WHEREAS, this change order will credit the original amount for repair and purchase new valves; and

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

WHEREAS, funds in the amount of \$84,425.00 have been certified to be available in the Various Sewer Improvements Account, Number C-08-14-1873-001-000; 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, that Change Order #1 to the contract with LONGO ELECTRICAL-MECHANICAL, INC., 1 Harry Shupe Blvd, Wharton, NJ 07885 is hereby authorized in the amount of \$84,425.00 for a total amended contract amount of \$1,112,950.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$84,425.00** are available for the above in Account No. **C-08-14-1873-001-000** for an amended construction contract amount of **\$1,112,950.00**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.390-072020

RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO PPE MEDICAL SUPPLIES FOR DISPOSABLE MASKS DURING THE COVID-19 HEALTH EMERGENCY

WHEREAS, a health emergency exists in which the Township of Edison is in need of Medical Supplies;
and

WHEREAS, PPE Medical Supplies, 37 Runyon Avenue, Edison, NJ 08817 is able to supply masks; 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, funds in the amount of \$50,000.00 have been certified to be available in Account Number T-13-00-0000-000-017; 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/process contract/Purchase Order in the amount not to exceed \$50,000.00, and any other necessary documents, with PPE Medical Supplies, 37 Runyon Avenue, Edison, NJ 08817.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$50,000.00** are available for the above in Account No. **T-13-00-0000-000-017**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.391-072020

**RESOLUTION AWARDING AN EMERGENCY CONTRACT/PURCHASE ORDER TO OFFICE
CONCEPTS GROUP, INC. FOR DISINFECTANT WIPES AND LYSOL SPRAY DURING THE COVID-19
HEALTH EMERGENCY**

WHEREAS, a health emergency exists in which the Township of Edison is in need of disinfectant supplies;
and

WHEREAS, OFFICE CONCEPTS GROUP, INC., 301 Greenwood Ave., Midland Park, NJ 07432, is able
to supply disinfectant wipes and Lysol spray; 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, funds in the amount of \$19,678.24 have been certified to be available in Account Number T-
13-00-0000-000-017; 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/process contract/Purchase Order in the amount
not to exceed \$19,678.24, and any other necessary documents, with OFFICE CONCEPTS GROUP, INC.,
301 Greenwood Ave., Midland Park, NJ 07432.

2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$19,678.24** are available for the above in Account No. **T-13-00-0000-000-017**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.392-072020

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO CLEAN AIR COMPANY FOR THE REPAIR AND/OR ADDITION OF THE PLYMOVENT VEHICLE EXHAUST SYSTEMS AT FIRE STATIONS

WHEREAS, the Township of Edison, Division of Fire, is in need of services for the repair and/or addition of its Plymovent vehicle exhaust systems at the Fire Stations pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, CLEAN AIR COMPANY, 428 New Brunswick Avenue, Fords, NJ 08863 is the exclusive certified dealer/distributor of Plymovent for this area and therefore attempts to obtain additional quotes was unsuccessful; and

WHEREAS, the total amount of this contract/Purchase Order(s) in the amount not to exceed \$20,000.00 cannot be encumbered at this time; and

WHEREAS, for the prior twelve months, the Township expended \$14,794.15 with CLEAN AIR COMPANY and this resolution in the amount of \$20,000.00 will make a combined total amount of \$34,794.15 in a twelve month period; 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, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, prior to entering into a contract, CLEAN AIR COMPANY, 428 New Brunswick Avenue, Fords, NJ 08863, 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 CLEAN AIR COMPANY 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 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. Authorization is hereby given to CLEAN AIR COMPANY, 428 New Brunswick Avenue, Fords, NJ 08863, in the amount not to exceed \$34,794.15 for the repair and/or addition of its Plymovent vehicle exhaust systems at the Fire Stations 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.

RESOLUTION R.393-072020

WHEREAS, applications have be made for the renewal of Club Licenses, issued by the Municipal Council of the Township of Edison, expiring on September 30, 2020 and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Club Licenses expiring on September 30, 2020, for which the required fee \$150.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective July 22, 2020.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-31-037-001	American Legion post 435 Father & Son 43 Oakland Avenue	Edison, NJ 08817
1205-31-042-001	Italian American Club of Edison 1997 Woodbridge Avenue	Edison, NJ 08817
1205-31-045-001	Metuchen Golf & Country Club 244 Plainfield Road	Edison, NJ 08820
1205-31-047-001	Raritan River Boat Club P.O. Box 1288	Edison, NJ 08817

RESOLUTION R.394-072020

WHEREAS, applications have be made for the renewal of Plenary Retail Distribution Licenses, issued by the Municipal Council of the Township of Edison, expiring on September 30, 2020; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following Plenary Retail Distribution Licenses expiring on September 30, 2020 for which the required fee \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be hereby renewed, effective July 22, 2020.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-44-012-007	888 Rt. 22, Inc. d/b/a Liquor Locker 1665 Oak Tree Road Ste. 360	Edison, NJ 08820
1205-44-021-005	Costco Wholesale Corp. 2210 Route 27	Edison, NJ 08817
1205-44-064-007	Rishrik, LLC t/a Wine O Land 1199 Amboy Avenue	Edison, NJ 08837

RESOLUTION R.395-072020

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses (Hotel/Motel) , issued by the Municipal Council of the Township of Edison, expiring on September 30, 2020 ; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses [Hotel/Motel] expiring on September 30, 2020 for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 22, 2020.

LICENSE NUMBER

LICENSEE AND LOCATION

ADDRESS

1205-36-053-005

Restaurant Route 27, LLC
t/a Crowne Plaza Edison
2055 Lincoln Highway

Edison, NJ 08817

RESOLUTION R.396-072020

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Municipal Council of the Township of Edison, expiring on September 30, 2020 ; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption Licenses expiring on September 30, 2020, for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective July 22, 2020.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-33-013-011	RTC Restaurant Corp. 225 West Washington St. Indianapolis, IN 46204	POCKET
1205-33-018-004	Cheesecake Factory 100 Menlo Park	Edison, NJ 08837
1205-33-020-010	Apple Food Services of Edison, LLC d/b/a Applebee's 1045 Route 1	Edison, NJ 08817
1205-33-023-007	RTC Restaurant Corp. 225 West Washington St. Indianapolis, IN 46204	POCKET

RESOLUTION R.397-072020

WHEREAS, American Legion Clara Barton Post 324 is the holder of liquor License #1205-31-038-001 and

WHEREAS, in communications received from James Muller, Commander of the American Legion Clara Barton Post 324, the organization has indicated they closed their building as of January 1, 2019. They did not renew their Liquor License for the 2019-2020 and will not be renewing for the 2020-2021 term.

NOW, THEREFORE, IT BE RESOLVED, that Liquor License #1205-31-038-001 hereto issued to the American Legion Clara Barton Post 324 shall cease to exist.

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby designated to transmit a copy of this Resolution to the New Jersey State Division of Alcoholic Beverage control.

RESOLUTION R.398-072020

WHEREAS, Columbia Club of Edison, Inc. d/b/a Knights of Columbus is the holder of liquor License #1205-31-039-001 and

WHEREAS, in communications received from Dan Kovach of Columbia Club of Edison, Inc. the organization has indicated they stopped using the license when they sold the building in January 2019. They did not renew their Liquor License for the 2019-2020 term.

NOW, THEREFORE, IT BE RESOLVED, that Liquor License #1205-31-039-001 hereto issued to the Columbia Club of Edison, Inc. d/b/a Knights of Columbus shall cease to exist.

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby designated to transmit a copy of this Resolution to the New Jersey State Division of Alcoholic Beverage control.