

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
MONDAY, MARCH 26, 2018
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 9, 2017 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **ORAL PETITIONS AND REMARKS**
5. **REVEIW OF MINUTES:**
 - a. Regular Meeting of January 24, 2018
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution Awarding Contract/Purchase Order through the Union county cooperative Pricing System to Upgrade Avaya Phone System. (\$59,247.96)
 - b. Resolution Awarding Contract/Purchase Orders to CDW Government Incorporated through the Educational Services commission of New Jersey for the Upgrade and Replacement of fifteen (15) Firewalls at remote sites within the Township of Edison. (\$16,800)
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through March 22, 2018.
 - b. Resolution authorizing refund in the amount of \$137,300.69 for redemption of tax sale certificates.
 - c. Resolution authorizing refund for tax overpayments totaling \$2,085.89.
10. **FROM THE DEPARTMENT OF LAW:**
 - a. A Resolution authorizing the entering of a Shared Services Agreement with the Borough of Metuchen, for the Township of Edison's provision of animal control services effective January 1, 2018, and continuing for a term of three (3) years.
 - b. A Resolution authorizing the execution of a Memorandum of Agreement between the Township and the International Association of Fire Fighters Local No. 1197, effective for the period commencing January 1, 2014 and ending December 31, 2018.

- c. Resolution names and authorizes the Township Engineer to execute treatment works approval (TWA) applications and temporary discharge approval (TDA) applications on behalf of the Township of Edison for the purpose of approval of sanitary sewer extensions and/or temporary discharge approvals to Edison's sanitary sewer system.
 - d. A Resolution referring certain amendments to the Redevelopment Plan for the Ford Assembly Plant Redevelopment Area to the Township Planning Board for review and comment pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*
 - e. Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 124, Lot, 20.01 (2195 Lincoln Highway Route 27) should be designated as an "area in need of redevelopment."
 - f. Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 556, Lots, 2-D2, 2-W1, 2-E, 2-G3, 2-J2, 2-H2, 2-E2 and 2-P (at the intersection of Oak Tree Road and Plainfield Road, and partially bounded by Alpine Street) should be designated as an "area in need of redevelopment."
11. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. A Resolution authorizing the release of \$100,000 from the Township's Affordable Housing Trust Fund to SERV to be used towards the purchase of a home to be used as a group home for the special needs population.
 - b. Resolution authorizing the return of Cash Performance and Performance bond.
12. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Resolution Awarding Contract for Engineering Services for Sewer Emergency for West Side Pump Station.
 - b. Resolution Awarding Contract for Sewer Emergency West Side Pump Station
13. **FROM THE CHIEF OF FIRE:**
- a. Resolution accepting Quote and Awarding Contract/Purchase Order for the design and installation of tool mounts for two (2) Fire Rescue Trucks. (\$4,994.00)
14. **FROM THE CHIEF OF POLICE:**
- a. Resolution awarding contract for furnishing of Maintenance for emergency Radio/Telephone System (9-1-1, Dispatch, etc.) (\$27,238.99)
 - b. Resolution awarding contract/Purchase Order for the purchase of forty nine (49) concealable Body Vest and ten (10) Carriers (\$47,702.50)
 - c. Resolution 2018 Distracted Driving Statewide Crackdown Grant Approval.
15. **FROM THE TOWNSHIP CLERK:**
- a. Resolution re-appointing member to the Ethics Board.
 - b. Resolution re-appointing members to the Open Space Committee.

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

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

O.2002-2018 **AN ORDINANCE APPROVING THE APPLICATION FOR
LONG TERM TAX EXEMPTION AND AUTHORIZING
THE EXECUTION OF A FINANCIAL AGREEMENT WITH
225 RARITAN CENTER PARKWAY URBAN RENEWAL,
LLC, CONCERNING THE PROPERTY KNOWN AS
BLOCK 390.DD, LOT 8.B (ALSO KNOWN AS 225
RARITAN CENTER PARKWAY, EDISON, NEW JERSEY).**

O.2003-2018 **AN ORDINANCE AMENDING THE TOWNSHIP CODE
CHAPTER 11-11 “MASSAGE, BODYWORK AND
SOMATIC THERAPY ESTABLISHMENTS,” SETTING
FORTH REQUIREMENTS FOR THE LOCATION OF THE
AFOREMENTIONED REGULATED ENTITIES WITHIN
THE TOWNSHIP.**

18. **DISCUSSION ITEMS:**

Council President Patil

a. Resolution of Recognition – Ken Durkin

Councilmember Coyle

a. None

Councilmember Diehl

a. None

Councilmember Gomez

a. None

Councilmember Joshi

a. Resolution of Recognition – Shreya Jangada

Councilmember Lombardi

a. None

Councilmember Sendelsky

a. None

19. **ADJOURNMENT**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO JOHNSTON
COMMUNICATIONS THROUGH THE UNION COUNTY COOPERATIVE PRICING SYSTEM TO
UPGRADE AVAYA PHONE SYSTEM**

WHEREAS, the Township of Edison wishes to upgrade the phone system from Avaya version 6.3 to version 7.1, relocate the CPU to a virtual environment, and increase our level of redundancy; 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 County of Union 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 is a member of the UNION COUNTY COOPERATIVE PRICING SYSTEM #8UCCP; and

WHEREAS, JOHNSTON GP, INC./JOHNSTON COMMUNICATIONS, P.O. Box 390, Kearny, NJ 07032, has been awarded Bid No. UCCP 42-2017 through State Coop #8UCCP, under Telephone/Associated Services Systems-Equipment, Installation, Maintenance Services; and

WHEREAS, the total amount of this contract shall not exceed \$59,247.96; and

WHEREAS, funds in the amount of \$59,247.96 have been certified to be available in the Acquisition of Computer and Camera Equipment Account, Number C-04-15-1914-101-000; 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 \$59,247.96 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 et seq. of the Local Public Contracts Law, Bid No. UCCP 42-2017 through State Coop #8UCCP, under Telephone/Associated Services Systems-Equipment, Installation, Maintenance Services.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$59,247.96** are available for the above in Account No. **C-04-15-1914-101-000**.

Nicholas C.
Fargo
Chief Financial Officer

Date

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT INCORPORATED THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (FORMALLY MRESC) COOPERATIVE PRICING SYSTEM FOR THE UPGRADE AND REPLACEMENT OF FIFTEEN (15) FIREWALLS AT REMOTE SITES WITHIN THE TOWNSHIP OF EDISON

WHEREAS, the Township of Edison wishes to upgrade and replace fifteen (15) firewalls at remote sites, including a three (3) year subscription for a suite of security features; 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, this purchase was authorized under EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (FORMALLY MRESC) COOPERATIVE PRICING SYSTEM #65MCESCCPS, MRESC 15/16-11 for which Edison Township is a member; and

WHEREAS, funds in the amount of **\$16,800.00** have been certified to be available in Acquisition of Computer and Camera Equipment Account, Number C-04-15-1914-101-000; and

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

WHEREAS, the Township 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 of \$16,800.00 with CDW-GOVERNMENT LLC, 230 North Milwaukee Ave., Vernon Hills, IL 60061 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.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$16,800.00** are available in Account Number C-04-15-1914-101-000.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING MARCH 22, 2018.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through March 22, 2018.

| FUND | AMOUNT |
|-------------------------------|-----------------|
| Current | \$14,323,414.10 |
| Sewer Utility | 129,773.01 |
| Capital | 58,307.81 |
| Grant Funds | 2,592.67 |
| Dog (Animal Control) | 876.25 |
| Trust | 107,173.89 |
| CDBG | 116.84 |
| Tree Fund | 0.00 |
| Payroll Deduction | 558,311.57 |
| Law Enforcement | 0.00 |
| Open Space | 0.00 |
| Park Improvements | 0.00 |
| Sanitation Fund | 120,576.33 |
| Self Insurance | 0.00 |
| Affordable Housing | 15,230.50 |
| Cash Performance | 0.00 |
| Developers Escrow | 51,918.75 |
| Tree Planting | 0.00 |
| Federal Forfeited | 0.00 |
| Tax Sale Redemption | 299,501.44 |
| Water Operating Fund | 0.00 |
| Edison Landfill Closure Trust | 0.00 |
| | |
| TOTAL | \$15,667,793.16 |

/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

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 **\$137,300.69**.

RESOLUTION

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 **\$2,085.89**.

EXPLANATION: A Resolution authorizing the entering of a Shared Services Agreement with the Borough of Metuchen, for the Township of Edison's provision of animal control services effective January 1, 2018 and ending December 31, 2020.

EDISON TOWNSHIP

RESOLUTION _____

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, in the spirit of mutual cooperation, the Township has the capacity to and seeks to provide animal control services, including the regulation, collection and housing of stray animals, to the Borough of Metuchen, (collectively, with the Township, the "**Parties**") for the purpose of promoting efficiency in government and reducing respective expense for such services; and

WHEREAS, in furtherance, the Parties desire to enter a Shared Services Agreement ("**Agreement**," in the form substantially similar to that attached hereto as Exhibit A) pursuant to the Shared Services Act to establish the terms of the Township's provision of animal control services to be charged as a monthly amount of \$2,216.46 per month for the calendar year 2018, \$2,260.79 per month for the calendar year 2019, and \$2,306.00 per month for the calendar year 2020; and

WHEREAS, the Agreement provides for and shall be subject to cancellation by either Party upon thirty (30) days' written notice; and

WHEREAS, the Municipal Council of the Township ("**Municipal Council**") seeks to hereby authorize the Township's entering and execution of the 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 Agreement is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor to execute 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 shall provide animal control services to the Borough of Metuchen pursuant to the Agreement at the aforementioned monthly rates, terminable upon thirty (30) days' notice.

Section 4. 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, as well as the Business Administrator for the Township of Scotch Plains.

Section 5. This Resolution shall take effect immediately.

EXPLANATION: A Resolution authorizing the execution of a Memorandum of Agreement between the Township and the International Association of Fire Fighters Local No. 1197, effective for the period commencing January 1, 2014 and ending December 31, 2018.

EDISON TOWNSHIP

RESOLUTION _____

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

WHEREAS, the Township and the International Association of Fire Fighters Local No. 1197 (the “**Association**,” and collectively with the Township, the “**Parties**”) have negotiated a Memorandum of Agreement (“**MOA**”) with respect to the terms of a successor collective bargaining agreement between the Township and the Association; and

WHEREAS, the MOA sets forth key terms between the Parties regarding salaries, medical benefits, leave without pay, salary guide and recognition of certain titles; and

WHEREAS, the Parties desire to execute the MOA and implement its terms as set forth therein, pending finalization of the successor collective bargaining agreement; and

WHEREAS, the MOA is subject to ratification by the Parties and the Township desires to provide such ratification, and authorize execution of the MOA and implementation of its terms, pending finalization of the successor collective bargaining agreement

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby authorizes the Mayor to execute the Memorandum of Agreement and to implement its terms as set forth therein, pending finalization of the successor collective bargaining agreement between the Parties.
3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
4. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.
5. This Resolution shall take effect as provided by law.

EXPLANATION: This Resolution names and authorizes the Township Engineer to execute treatment works approval (TWA) applications and temporary discharge approval (TDA) applications on behalf of the Township of Edison for the purpose of approval of sanitary sewer extensions and/or temporary discharge approvals to Edison's sanitary sewer system.

EDISON TOWNSHIP

RESOLUTION _____

WHEREAS, under certain parameters promulgated by the New Jersey Department of Environmental Protection (“**NJDEP**”), it is necessary that an application be submitted with an Edison Township endorsement to the aforesaid agency for treatment works approvals and/or extensions to the Edison Township sanitary sewer system; and

WHEREAS, pursuant to State Law, it is a requirement that the applicants gain approval of the aforementioned Edison Township sanitary sewer system extension from the Middlesex County Utilities Authority (“**MCUA**”) and the New Jersey Department of Environmental Protection (“**NJDEP**”); and

WHEREAS, the required approval for the Edison Township sanitary sewer extensions, and/or temporary discharges to the Edison Township sanitary sewer system, will not be approved unless the applications bear the signature of the Edison Township Engineer, Carl P. O’Brien, P.E., to indicate his approval.

NOW, THEREFORE, BE IT RESOLVED, by Municipal Council of the Township of Edison that the Edison Township Engineer, Carl P. O’Brien, P.E., be and is hereby authorized to sign the required applications for treatment works approval (“**TWA**”) for extensions to the Edison Township sanitary sewer system, and for applications for temporary discharge approval (“**TDA**”), as the case may be, for submission to the MCUA and/or the NJDEP.

EXPLANATION: A Resolution referring certain amendments to the Redevelopment Plan for the Ford Assembly Plant Redevelopment Area to the Township Planning Board for review and comment pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*

EDISON TOWNSHIP

RESOLUTION _____

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

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”), by way of Resolution R. 353.072006 adopted July 10, 2006, authorized and directed the planning board of the Township (the “**Planning Board**”) to conduct a preliminary investigation of the property identified as the Former Ford Assembly Plant, and more commonly known as Block 198L, Lots 28B, 27E, 27G, 28C, 32, 33A, 34D-1, 37A-1, 19P-1, 34C and 38 on the Township’s tax maps (the “**Study Area**”), and to determine that the Study Area meets the criteria for a Non-Condensation Redevelopment Area, pursuant to Sections 5 and 6 of the Redevelopment Law; and

WHEREAS, on October 4, 2006, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the Study Area qualified as an area in need of redevelopment and recommended that the Township Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on October 12, 2006, the Municipal Council accepted the recommendation of the Planning Board and adopted a resolution which designated the Study Area as an “area in need of redevelopment” (the “**Redevelopment Area**”) in accordance with the Redevelopment Law;

WHEREAS, by commission of the Municipal Council, the Township’s Planning Consultant prepared a redevelopment plan for the Redevelopment Area entitled the “Redevelopment Plan for the Ford Assembly Plan” (“**Redevelopment Plan**”), which was adopted by the Municipal Council on October 18, 2007 after hearing by the Planning Board; and

WHEREAS, on January 28, 2015, the Municipal Council referred certain amendments to the Redevelopment Plan to the Planning Board for its review and recommendation, which were considered by the Planning Board at its March 16, 2015 meeting; and

WHEREAS, on April 22, 2015, by Ordinance O.1900-2015, the Municipal Council adopted those certain amendments to the Redevelopment Plan;

WHEREAS, the Municipal Council desires to refer additional amendments to the Redevelopment Plan to the Planning Board for its review and comment, pursuant to *N.J.S.A. 40A:12A-7* of the Redevelopment Law.

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

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.
Section 2. Pursuant to *N.J.S.A. 40A:12A-7(e)*, the Municipal Council hereby refers the Redevelopment Plan to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the Redevelopment Plan and submit same to the Municipal Council within 45 days after referral, as required by the Redevelopment Law.

Section 3. The Clerk of the Township shall forward a copy of this Resolution and the Redevelopment Plan to the Planning Board for review.

Section 4. This Resolution shall take effect immediately.

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 124, Lot, 20.01 (2195 Lincoln Highway Route 27) should be designated as an “area in need of redevelopment.”

EDISON TOWNSHIP

RESOLUTION _____

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 124, Lot, 20.01 (2195 Lincoln Highway Route 27) (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.

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 556, Lots, 2-D2, 2-W1, 2-E, 2-G3, 2-J2, 2-H2, 2-E2 and 2-P (at the intersection of Oak Tree Road and Plainfield Road, and partially bounded by Alpine Street) should be designated as an “area in need of redevelopment.”

EDISON TOWNSHIP

RESOLUTION _____

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 556, Lots, 2-D2, 2-W1, 2-E, 2-G3, 2-J2, 2-H2, 2-E2 and 2-P (at the intersection of Oak Tree Road and Plainfield Road, and partially bounded by Alpine Street) (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.

EXPLANATION: A Resolution authorizing the release of \$100,000 from the Township's Affordable Housing Trust Fund to SERV to be used towards the purchase of a home to be used as a group home for the special needs population

EDISON TOWNSHIP

RESOLUTION _____

WHEREAS, the Township of Edison's Approved Affordable Housing Trust Fund Spending Plan (the "Spending Plan") provides an allocation for and authorizes the use of Affordable Housing Trust Funds, for among other things, the purchase of homes that will be used as group homes for the special needs population; and

WHEREAS, SERV Properties and Management, Inc. ("SERV") has requested funding in the amount of \$100,000 (\$25,000 per bedroom) from the Township's Affordable Housing Trust Fund to be used towards the purchase of a property located at 9 Bergen Place (Block 265.DD, Lot 81), which is a four bedroom colonial style house, which will be used as a group home for the special needs population; and

WHEREAS, the use of such funds as requested by SERV from the Affordable Housing Trust Fund, is consistent with the Spending Plan, which Plan projects and anticipates the expenditure of such funds by the Township each year to ensure that the Township meets its affordable housing obligations and goals; and

WHEREAS, adequate funds are available in the Affordable Housing Trust Fund for such use by SERV; and

WHEREAS, the Township Council desires to authorize the release of \$100,000 from the Township's Affordable Housing Trust Fund to SERV for use towards the purchase of a home to be used as a group home for the special needs population.

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 the release of \$100,000 from the Township's Affordable Housing Trust Fund to SERV for the purposes set forth herein and in accordance with the Township's Spending Plan.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION

**Explanation: Release Cash Performance and Surety Bond for Wick Plaza, application#Z01-06/07, Block #22
Lots 5A,6A,11B1,12AE.**

WHEREAS, the Township Engineer advises that an inspection has been made of Wick Plaza located in Block #22 Lots 5A,6A,11B1,12AE, and said inspection indicates all improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Division of Engineering Services recommends the release of the Surety Bond #39BCSGO1496 of Hartford Fire Insurance Company dated October 31,2017 in the amount of \$359,160.48, principal being Wick Plaza Shopping Associates, having offices at 100 Woodbridge Center Drive, Suite 301, P.O. Box 29, Woodbridge, N.J. 07095 and acceptance of the subject improvements; and

WHEREAS, the Division of Engineering Services recommends the release of the Cash Performance Bond check dated October 31, 2017 in the amount of \$39,906.72, in Account 7763342662 principal being Wick Plaza Shopping Associates, having offices at 100 Woodbridge Center Drive, Suite 301, P.O. Box 29, Woodbridge, N.J. 07095; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the aforementioned improvements are hereby complete and satisfactory and the Township Clerk is hereby authorized to release the aforesaid Letter of Credit; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to return the Cash Performance Bond in the amount of \$39,906.72 plus accrued interest if any on deposit in account #7763342662 to the applicant.

**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO ESI
EQUIPMENT, INC. FOR THE DESIGN AND INSTALLATION OF TOOL MOUNTS FOR TWO (2) FIRE
RESCUE TRUCKS**

WHEREAS, quotes were solicited by the Township of Edison for the design and installation of tool mounts for Fire Rescue Trucks 5 and 6; and

WHEREAS, ESI EQUIPMENT, INC., 119 Keystone Dr., Montgomery, PA 18936, submitted the lowest quote; and

WHEREAS, the maximum amount of the purchase shall not exceed \$4,994.00; and

WHEREAS, funds in the amount of \$4,994.00 have been certified to be available in the Firefighter Maintenance of Motor Vehicle Account, Number 8-01-25-0265-001-025; 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 as submitted by ESI EQUIPMENT, INC., 119 Keystone Dr., Montgomery, PA 18936 for the design and installation of tool mounts for Fire Rescue Trucks 5 and 6, is determined to be the lowest quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$4,994.00 and any other necessary documents with ESI EQUIPMENT, INC. as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$4,994.00** are available for the above in Account No. **8-01-25-0265-001-025**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION AWARDING CONTRACT TO UNITED TELEPHONE COMPANY OF NJ, INC. D/B/A CENTURYLINK FOR THE FURNISHING OF MAINTENANCE FOR EMERGENCY RADIO/TELEPHONE SYSTEMS (9-1-1, DISPATCH, ETC.) FOR THE DIVISION OF POLICE

WHEREAS, there is a need to procure the annual maintenance for the software and hardware for the Emergency Telephone Systems (9-1-1 Center, Communications, etc.) for the Division of Police for the period April 26, 2018 through April 25, 2019; and

WHEREAS, UNITED TELEPHONE COMPANY OF NJ, INC. D/B/A CENTURYLINK, PO Box 4000, Carlisle, PA 17013 has been awarded State Contract Number 83925 under T-0109/Radio Communication Equipment and Accessories which covers this maintenance; and

WHEREAS, funds in the amount of \$27,238.99 have been certified to be available in the Dispatch 911 Maintenance of Other Equipment Account, number 8-01-25-0250-000-026 subject to and contingent upon appropriation of sufficient funds in the 2018 temporary and/or permanent budget; and

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

WHEREAS, the Township 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 the amount not to exceed \$27,238.99 and any other necessary documents, with UNITED TELEPHONE COMPANY OF NJ, INC. D/B/A CENTURYLINK, PO Box 4000, Carlisle, PA 17013 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. 83925 under T-0109.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$27,238.99** are available for the above contract in Account No. **8-01-25-0250-000-026** subject to and contingent upon appropriation of sufficient funds in the 2018 temporary and/or permanent budget.

Nicholas C. Fargo
Chief Financial Officer

Date

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO LANIGAN ASSOCIATES INC. FOR
THE PURCHASE OF FORTY NINE (49) CONCEALABLE BODY VESTS AND TEN (10) CARRIERS
FOR THE POLICE DEPARTMENT**

WHEREAS, there is a need for forty-nine (49) Concealable Body Armor Vests and ten (10) carriers for the Police Department; and

WHEREAS, LANIGAN ASSOCIATES INC., 496 Shrewsbury Avenue, Red Bank, NJ 07701 has been awarded State Contract Number 81348 under T-0106 Police and Homeland Security Equipment and Supplies - Statewide; 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 maximum amount of the purchase shall not exceed \$47,702.50; and

WHEREAS, funds have been certified to be available as follows: \$15,283.50 in the Body Armor Fund 2017 Account, number G-02-17-0240-706-000; \$3,796.54 in the Body Armor Fund Account, number G-02-16-0240-706-000; \$183.44 in the Body Armor Fund Account, number G-02-12-0240-706-000; \$310.70 in the Bullet Proof Vest Partnership Grant Account, number G-02-14-0240-716-000; and \$28,128.32 in the Federal Forfeited Property Account, number T-13-00-0000-000-008; 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 \$47,702.50, and any other necessary documents, with LANIGAN ASSOCIATES INC. as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract, No. 81348 under T-0106.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$47,702.50** are available for the above as follows:

\$15,283.50 in Account No. **G-02-17-0240-706-000**
\$ 3,796.54 in Account No. **G-02-16-0240-706-000**
\$ 183.44 in Account No. **G-02-12-0240-706-000**
\$ 310.70 in Account No. **G-02-14-0240-716-000**
\$28,128.32 in Account No. **T-13-00-0000-000-008**

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION

WHEREAS, it is the duty of the Municipal Council to appoint members to the Open Space Advisory Committee; and

WHEREAS, the Municipal Council has selected the following persons to serve on said Committee:

Walter Stochel, 2118 Oak Tree Road, Edison, NJ 08820
Robert Takash, 27 Park Way, Edison, NJ 08817
Frank Greco, 12 Maida Road, Edison, NJ 08820
Esther Nemitz, 162B Fay Street, Edison, NJ 08817
Bruce Diamond, 74 Calvert Avenue West, Edison, NJ 08820

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that the abovementioned persons be and they are hereby appointed as Members of the Open Space Advisory Committee for a one year term, said terms to expire December 31, 2018.

RESOLUTION

WHEREAS, in accordance with Municipal Code Section 4-2 and N.J.S.A. 40A:9-22.19 et seq., it is the duty of the Municipal Council to appoint members to the Edison Township Ethics Board; and

WHEREAS, the Municipal Council wishes to appoint the following members to the Ethics Board;

Name and Address

Term Expires

Peter F. Bentey, 10 Five Acre Drive, Edison, NJ 08820

December 12, 2022

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that the abovementioned individuals here appointed as members of the Ethics Board.

ORDINANCE 0.2002-2018

EXPLANATION: An Ordinance approving the application for long term tax exemption and authorizing the execution of a financial agreement with 225 Raritan Center Parkway Urban Renewal, LLC, concerning the property known as Block 390.DD, Lot 8.B (also known as 225 Raritan Center Parkway, Edison, New Jersey).

WHEREAS, 225 Raritan Center Parkway Urban Renewal, LLC (the “**Entity**”) proposes to develop certain property identified on the tax maps of the Township of Edison (the “**Township**”) as Block 390.DD, Lot 8.B (the “**Property**”), also known as 225 Raritan Center Parkway, which Property has been designated as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*; and

WHEREAS, the Township and the Entity will enter into a Redevelopment Agreement pursuant to which, among other things, the Entity will construct on the Property a 190,293 square foot warehouse and certain ancillary improvements (the “**Project**”); and

WHEREAS, the Entity submitted to the Mayor of the Township (the “**Mayor**”) an application (the “**Application**”) for a long term tax exemption, pursuant to the Long Term Tax Exemption Law, as amended and supplemented, *N.J.S.A. 40A:20-1 et seq.* (the “**Act**”), which Application is on file with the Township Clerk, to make payments to the Township in lieu of taxes in connection with the Project; and

WHEREAS, the Entity and Township negotiated a form of financial agreement for the Project (the “**Financial Agreement**”), a copy of which is attached hereto as **Exhibit A**, establishing the rights, responsibilities and obligations of the Entity; and

WHEREAS, the Mayor submitted the Application and the Financial Agreement to the Township Council with his recommendation for approval, a copy of which recommendation is on file with the Township Clerk; and

WHEREAS, the Township Council has determined that the Project represents an undertaking permitted by the Act,

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Application and Financial Agreement are hereby approved.

3. The Mayor is hereby authorized to execute the Financial Agreement substantially in the form attached hereto as **Exhibit A**, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.

4. The Clerk of the Township is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.

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

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

7. This ordinance shall take effect in accordance with applicable law.

ORDINANCE O.2003-2018

EXPLANATION: An Ordinance amending the Township Code Chapter 11-11 “Massage, Bodywork and Somatic Therapy Establishments,” setting forth requirements for the location of the aforementioned regulated entities within 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 Township Code of General Ordinances (the “**Code**”) currently permits the operation of massage, bodywork and somatic therapy establishments within the Township pursuant to the issuance of a business permit in accordance with Chapter 11-11 of the Code; and

WHEREAS, the Township desires to amend Chapter 11-11 of the Code, entitled “Massage, Bodywork and Somatic Therapy Establishments,” to create subsections (a), (b) and (c) to Subchapter 11-11.5, which would restrict the location of the regulated entities to certain zoning districts, as established in Chapter 37 of the Code; and

WHEREAS, the Municipal Council of the Township (“**Municipal Council**”) has determined to amend Subchapter 11-11.5 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

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

11-11.5 Building Requirements; Inspections.

- a. The Department of Health, upon receiving an application for a massage, bodywork or somatic therapy establishment permit, shall refer the application to the Department of Planning and Engineering, the Fire Department, the Police Department, the Health and Human Services Department, which departments shall inspect the premises proposed to be operated as a massage establishment and shall make written recommendations to the Division of Licensing and Permits concerning compliance with the codes that they administer.
- b. No massage, bodywork or somatic therapy establishment shall be issued a permit or be operated, established or maintained in the Township unless an inspection by the Health Officer, Building Subcode Official, and Fire Inspector reveals that the establishment complies with the minimum requirements of the building and health codes for businesses operating in the Township of Edison.
- c. No massage, bodywork or somatic therapy establishment shall be located within 1,000 feet of a place of worship, school, public use or residential zone, as established pursuant

to Chapter 37-2.1 of the Code, or within 500 feet of another such use. All distances shall be measured in a straight line from the outer boundary of such properties.

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

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 11-11 of the Code, entitled “Massage, Bodywork and Somatic Therapy Establishments” to read as follows:

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

11-11.5 Building Requirements; Inspections.

- a. The Department of Health, upon receiving an application for a massage, bodywork or somatic therapy establishment permit, shall refer the application to the Department of Planning and Engineering, the Fire Department, the Police Department, the Health and Human Services Department, which departments shall inspect the premises proposed to be operated as a massage establishment and shall make written recommendations to the Division of Licensing and Permits concerning compliance with the codes that they administer.
- b. No massage, bodywork or somatic therapy establishment shall be issued a permit or be operated, established or maintained in the Township unless an inspection by the Health Officer, Building Subcode Official, and Fire Inspector reveals that the establishment complies with the minimum requirements of the building and health codes for businesses operating in the Township of Edison.
- c. No massage, bodywork or somatic therapy establishment shall be located within 1,000 feet of a place of worship, school, public use or residential zone established pursuant to Chapter 37-2.1 of the Code, or within 500 feet of another such use. All distances shall be measured in a straight line from the outer boundary of such properties.

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

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 11 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.