

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Wednesday, March 27, 2019
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 1, 2018 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **PUBLIC HEARING ON GREEN ACRES GRANT:**
Carl O'Brien, Township Engineer will be presenting the Plan
Aaron Cela, Land Conservancy
Matt Mauro, Excel Environmental
5. **REVIEW OF MINUTES:**
 - a. Regular Meeting of February 27, 2019
 - b. Combined Meeting of March 13, 2019
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution authorizing the Department of Environmental Protection Green acres Enabling Grant Application (Resolution R.160-032019)
 - b. Award of Contracts for Public Bid No.19-10-25 Collision Repairs (2 vendors – not to exceed \$255,000.00) (Resolution R.161-032019 & R.162-032019)
 - c. 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, 2019 and ending December 31, 2022. (Resolution R.149-032019)
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through March 21, 2019 (Resolution R.144-032019)
 - b. Resolution authorizing refund in the amount of \$148,542.26 for redemption of tax sale certificates (Resolution R.145-032019)
 - c. Resolution authorizing refund of tax overpayments, totaling \$3,963.35 (Resolution R.146-032019)
 - d. Resolution authorizing refund of sewer charge overpayments, totaling \$3,530.66 (Resolution R.147-032019)

- e. Resolution authorizing a Transfer of Funds in the Calendar Year 2018 Current Fund Budget Appropriations Pursuant to N.J.S.A. 40A:4-59.(Resolution R.148-032019)

10. FROM THE DEPARTMENT OF LAW:

- a. An Ordinance authorizing the dedication of a certain, ten (10) foot former easement area along East Side Avenue, specifically, along portions of those parcels commonly known on the tax maps of the Township as Block 182.A, Lots 4.A, 5 and 6 (aka 19-23 East Side Avenue), from J.I.M. Enterprises to the Township of Edison, in furtherance of a project subject to the 720 Route 1 Redevelopment Plan. (Ordinance O.2041-2019)
- b. An Ordinance approving the application for long term tax exemption and authorizing the execution of a financial agreement with RG-Edison Urban Renewal, LLC, concerning the property known as Block 124, Lots 2.E6 and 20.02 (in the vicinity of the Route 27 and at the intersection of Vineyard Road).(Ordinance O.2042-2019)
- c. A Resolution designating redeveloper and authorizing execution of the Redevelopment Agreement with Open Road of Edison, Inc. for the property identified on the Township Tax Maps as Block 182.A, Lots 4.A, 5, 6, 7.Y and 9.A2, also known as 72 Route 1 North in the Township, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*(Resolution R.163-032019)
- d. A Resolution referring the Woodbridge Avenue Redevelopment Plan for Block 390.A, Lot 1.4A (844 King Georges Post Road) to the Edison Planning Board for review and comment, pursuant to the Local Redevelopment and Housing Law. (Resolution R.164-032019)
- e. A Resolution designating redeveloper and authorizing execution of the Redevelopment Agreement with RG-Edison Urban Renewal, LLC for the property identified on the Township Tax Maps as Block 124, Lots 2.E6, 20.01 and 20.02, in the vicinity of Route 27 and Vineyard Road in the Township, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*(Resolution R.165-032019)
- f. This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Thomas and Karen Shea, with respect to Block 415, Lot 5.B1 on the Edison Township Tax Map, and more commonly known as 1681 Woodland Avenue. (Resolution R.166-032019) (Tabled at meeting)
- g. A Resolution retaining DIGroup Architecture for the purpose of providing professional architectural and engineering design services for the new proposed recreation Building at Jefferson Boulevard. (Resolution R.167-032019)
- h. Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 546-I, Lot 37 (aka 1696 Oak Tree Road) satisfies the criteria to be designated 'an area in need of redevelopment' pursuant to Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*(Added to Agenda at Worksession R.178-032019)

11. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

- a. This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 16-30-02: 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2; and authorizes FINAL CONTRACT PAYMENT for release of retainage in the amount of \$53,102.89 and close-out of the construction project.(Resolution R.150-032019)
 - b. This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 16-30-01: 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 1; and authorizes FINAL CONTRACT PAYMENT for release of retainage in the amount of \$46,081.54 and close-out of the construction project.(Resolution R.151-032019)
 - c. A Resolution authorizing the grant of \$14,200.00 from the Township’s Affordable Housing Emergency Repairs Program to New Jersey Institute for Disabilities for replacement of the roof at 14 Edgemount Road. (Resolution R.152-032019)
 - d. Resolution provides for the refund of the unused portion of Developers Escrow Fees. (Resolution R.159-032019)
 - e. Resolution refunding Cash Performance for application Z35-2014, Blk. 266.A, Lot 19.047. 20B, 21 aka 742 Old Post Road (Resolution R. 168-032019)
 - f. Resolutions returning of Tree Maintenance Bonds (Resolution R.169-032019 through R.175-032019)
12. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Award of Contract for Public Bid No. 19-09-07 – Vehicle Transmission Repair/Rebuild (not to exceed \$140,000.00) (Resolution R.153-032019)
 - b. Resolutions releasing of Street Opening Escrow. (Resolution R.154-032019 and R.155-032019)
13. **FROM THE CHIEF OF FIRE:**
- a. Approval of Volunteer Firefighter
 - b. Resolution accepting quote and Awarding Contract/Purchase Order for the purchase of One(1) UNIMAC Drying Cabinet and One (1) UNIMAC Washing Machine (\$23,205.00) (Resolution R.156-032019)
14. **FROM THE CHIEF OF POLICE:**
- a. Resolution 2019 Distracted Driving Statewide Crackdown Grant Application and Initiative (Resolution R.157-032019)
 - b. Resolution Awarding Contract/Purchase Order for the Renewal of the Emergency Notification System (\$28,700.81) (Resolution R.158-032019)
15. **FROM THE TOWNSHIP CLERK:**
- a. Resolution approving a Place to Place Liquor License. (Resolution R.176-032019)
 - b. Resolution appointing Councilmember to Planning Board. (Resolution R.177-032019)
16. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**
17. **UNFINISHED BUSINESS:**

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

O.2038-2019 **AN ORDINANCE AMENDING CHAPTER 37 OF THE TOWNSHIP OF EDISON CODE OF GENERAL ORDINANCES TO AMEND THE G-B AND G-BH GENERAL BUSINESS DISTRICTS TO INCLUDE A CONVENIENCE STORE WITH FUEL STATION AS A PERMITTED USE.**

(Tabled)

18. DISCUSSION ITEMS:

Council President Gomez

a. None

Councilmember Coyle

a. None

Councilmember Diehl

a. None

Councilmember Joshi

a. None

Councilmember Lombardi

a. None

Councilmember Patil

a. None

Councilmember Sendelsky

a. None

19. APPROVAL OF MINUTES:

a. Regular Meeting of February 27, 2019

b. Combined Meeting of March 13, 2019

20. COUNCIL PRESIDENT'S REMARKS

21. APPROVAL OF VOLUNTEER FIREFIGHTER:

Raritan Engine Company #1

Corey J. Ciszek

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

**O.2038-2019 AN ORDINANCE AMENDING CHAPTER 37 OF THE
TOWNSHIP OF EDISON CODE OF GENERAL
ORDINANCES TO AMEND THE G-B AND G-BH
GENERAL BUSINESS DISTRICTS TO INCLUDE A
CONVENIENCE STORE WITH FUEL STATION AS A
PERMITTED USE.**

(Tabled at Worksession)

23. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR
WEDNESDAY, APRIL 10, 2019.**

**O. 2041-2019 ORDINANCE AUTHORIZING THE DEDICATION OF A
CERTAIN, TEN (10) FOOT FORMER EASEMENT AREA
ALONG EAST SIDE AVENUE, SPECIFICALLY, ALONG
PORTIONS OF THOSE PARCELS COMMONLY KNOWN
ON THE TAX MAPS OF THE TOWNSHIP AS BLOCK
182.A, LOTS 4.A, 5 AND 6 (AKA 19-23 EAST SIDE
AVENUE), FROM J.I.M. ENTERPRISES TO THE
TOWNSHIP OF EDISON, IN FURTHERANCE OF A
PROJECT SUBJECT TO THE 720 ROUTE 1
REDEVELOPMENT PLAN.**

**O.2042-2019 ORDINANCE APPROVING THE APPLICATION FOR
LONG TERM TAX EXEMPTION AND AUTHORIZING
THE EXECUTION OF A FINANCIAL AGREEMENT WITH
RG-EDISON URBAN RENEWAL, LLC, CONCERNING
THE PROPERTY KNOWN AS BLOCK 124, LOTS 2.E6
AND 20.02 (IN THE VICINITY OF THE ROUTE 27 AND AT
THE INTERSECTION OF VINEYARD ROAD).**

24. **PUBLIC COMMENT ON THE RESOLUTIONS**

25. **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.144-032019 Resolution approving disbursements for the period ending March 21, 2019
- R.145-032019 Resolution authorizing refund in the amount of \$148,542.56 for redemption of tax sale certificates.
- R.146-032019 Resolution authorizing refund of tax overpayments, totaling \$3,963.35.
- R.147-032019 Resolution authorizing refund of sewer charge overpayments, totaling \$3,530.66.
- R.148-032019 Resolution authorizing a Transfer of Funds in the Calendar Year 2018 Current Fund Budget Appropriations Pursuant to N.J.S.A. 40A:4-59.
- R.149-032019 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, 2019 and ending December 31, 2022.
- R.150-032019 This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 16-30-02: 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2; and authorizes FINAL CONTRACT PAYMENT for release of retainage in the amount of \$53,102.89 and close-out of the construction project.
- R.151-032019 This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 16-30-01: 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 1; and authorizes FINAL CONTRACT PAYMENT for release of retainage in the amount of \$46,081.54 and close-out of the construction project.
- R.152-032019 A Resolution authorizing the grant of \$14,200.00 from the Township's Affordable Housing Emergency Repairs Program to New Jersey Institute for Disabilities for replacement of the roof at 14 Edgemount Road.
- R.153-032019 Award of Contract for Public Bid No. 19-09-07 – Vehicle Transmission Repair/Rebuild to Air Brake and Equipment in an amount not to exceed \$140,000.00.
- R.154-032019 Resolution releasing of Street Opening Escrow for Permit Number DEV-0012, Blk.348, Lot 5-A, 11 Green Street in the amount of \$200.00.
- R.155-032019 Resolution releasing of Street Opening Escrow for Permit #20491, Blk. 714, Lot 42, 93 Bloomfield Avenue in the amount of \$360.00.
- R.156-032019 Resolution accepting quote and Awarding Contract/Purchase Order to Super Laundry for the purchase of One(1) UNIMAC Drying Cabinet and One (1) UNIMAC Washing Machine in the amount of \$23,205.00.
- R.157-032019 Resolution 2019 Distracted Driving Statewide Crackdown Grant Application and Initiative.
- R.158-032019 Resolution Awarding Contract/Purchase Order for the Renewal of the Emergency Notification System to Shi International Corporation in the amount of \$28,700.81.
- R.159-032019 Resolution provides for the refund of the unused portion of Developers Escrow Fees for Application No. 00921, for Account #7200024657.
- R.160-032019 Resolution authorizing the Department of Environmental Protection Green acres Enabling Grant Application.
- R.161-032019 Award of Contract for Public Bid No.19-10-25 Collision Repairs to Freehold Ford, Inc. in an amount not to exceed \$130,000.00.

- R.162-032019 Award of Contract for Public Bid No.19-10-25 Collision Repairs to Central Jersey Collision d/b/a Elizabeth Truck Center in an amount not to exceed \$125,000.00.
- R.163-032019 A Resolution designating redeveloper and authorizing execution of the Redevelopment Agreement with Open Road of Edison, Inc. for the property identified on the Township Tax Maps as Block 182.A, Lots 4.A, 5, 6, 7.Y and 9.A2, also known as 72 Route 1 North in the Township, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*
- R.164-032019 A Resolution referring the Woodbridge Avenue Redevelopment Plan for Block 390.A, Lot 1.4A (844 King Georges Post Road) to the Edison Planning Board for review and comment, pursuant to the Local Redevelopment and Housing Law.
- R.165-032019 A Resolution designating redeveloper and authorizing execution of the Redevelopment Agreement with RG-Edison Urban Renewal, LLC for the property identified on the Township Tax Maps as Block 124, Lots 2.E6, 20.01 and 20.02, in the vicinity of Route 27 and Vineyard Road in the Township, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*
- R.166-032019 This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Thomas and Karen Shea, with respect to Block 415, Lot 5.B1 on the Edison Township Tax Map, and more commonly known as 1681 Woodland Avenue.(Tabled at Meeting)
- R.167-032019 A Resolution retaining DIGroup Architecture for the purpose of providing professional architectural and engineering design services for the new proposed recreation Building at Jefferson Boulevard.
- R.168-032019 Resolution refunding Cash Performance for application Z35-2014, Blk. 266.A, Lot 19.047. 20B, 21 aka 742 Old Post Road to Glendale Warehouse and Distribution Expansion.
- R.169-032019 Resolution returning of Tree Maintenance Bond for Blk. 498, Lot 15.01,1 Mila Court in the amount of \$2,775.00.
- R.170-032019 Resolution returning of Tree Maintenance Bond for Blk. 556.B, Lot 46, 2 Hillsdale Road in the amount of \$375.00.
- R.171-032019 Resolution returning of Tree Maintenance Bond for Blk. 1020, Lot 23, 8 Harding Avenue in the amount of \$375.00.
- R.172-032019 Resolution returning of Tree Maintenance Bond for blk. 221, Lot 15.01 111 Oakland Avenue in the amount of \$75.00.
- R.173-032019 Resolution returning of Tree Maintenance Bond for Blk. 1018, Lot 11, 10 Stephenville Parkway in the amount of \$1,800.00.
- R.174-032019 Resolution returning of Tree Maintenance Bond for Blk. 1020, Lot 12, 20 Frances Road, in the amount of \$675.00.
- R.175-032019 Resolution returning of Tree Maintenance Bond for Blk. 557.B, Lot 13, 8 Edgewood Road in the amount of \$990.00.
- R.176-032019 Resolution approving a Place to Place transfer of License #1205-44-064-007, Rishrik, LLC t/a Wine O Land, 1199 Amboy Avenue.
- R.177-032019 Resolution appointing Councilmember Sendelsky to Class III Member of the Planning Board.

R.178-032019 Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 546-I, Lot 37 (aka 1696 Oak Tree Road) satisfies the criteria to be designated 'an area in need of redevelopment' pursuant to Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*(added to Agenda at worksession).

26. **ORAL PETITIONS AND REMARKS**

27. **ADJOURNMENT**

ORDINANCE O.2038-2019 (Tabled at Meeting)

EXPLANATION: An Ordinance amending Chapter 37 of the Township of Edison Code of General Ordinances to amend the G-B and G-BH General Business Districts to include a convenience store with fuel station as a permitted use.

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

WHEREAS, due to the desire to ensure uniformity throughout the Township’s Code of General Ordinances (the “**Code**”) regarding the Township’s G-B and G-BH General Business Districts and the addition of convenience stores with a fuel station to be permitted within same; and

WHEREAS, the Township seeks to maintain the health, safety and welfare of the citizens and visitors to the Township, the Township desires to amend the Code in accordance with the terms provided for herein and;

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

WHEREAS, within thirty (30) days of the adoption of this Ordinance the Township Clerk shall provide notice, pursuant to *N.J.S.A. 40:55D-15* of the Municipal Land Use Law, by personal service or certified mail to the county planning board which notice shall state the effective date of this Ordinance and include a copy of this Ordinance; and

WHEREAS, the Township Council has determined to amend Chapter 37 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

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

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

Section 2. The Municipal Council hereby amends Chapter 37 “Zoning” of the Code to read as follows:

37-21.2 Permitted Uses.

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

p. Fuel Only Service Station with Convenience Store

The following requirements shall apply to this use:

1. Minimum lot size: 1.5 acres.
2. Maximum building size: 6,000 square feet.
3. Maximum number of fueling stations: eight dispensers that includes gasoline and low-flow diesel sales, with two nozzles/hoses per dispenser.
4. Maximum number of stories: One (1), exclusive of towers, cuppolas, or other architectural elements.
5. Maximum height for principal building: Thirty five (35) feet, exclusive of towers, cuppolas or other architectural elements.
6. Maximum height for fuel area canopy: Twenty five (25) feet, with yard setbacks consistent with Chapter 37-63.
7. Parking: Minimum of one (1) space reach 300 square feet of convenience store building footprint, plus one space for each employee on the most heavily staffed shift. Additional parking may be provided to enhance internal circulation and eliminate stacking at driveways.
8. Signs: One (1) free standing pole sign at the driveway of each street front with fuel pricing, maximum area shall not exceed seventy five (75) square feet, maximum height of twenty (20) feet, and minimum set back of fifteen (15) feet from any street; two (2) façade signs, on the front of the building, not to exceed twenty percent (20%) of the front wall area; and two (2) canopy signs, located below the top of the canopy, on the side of the canopy facing the front or side street.

Section 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.

Section 4. The Township Clerk is hereby directed to give notice at least ten (10) days prior to hearing on the adoption of this Ordinance to the Middlesex County Planning Board, the clerk of any adjoining municipality, and to all other persons entitled thereto pursuant to *N.J.S.A. 40:55D-15* and *N.J.S.A. 40:55D-63* (if required). Upon adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to public notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Middlesex County Planning Board as required by *N.J.S.A. 40:55D-16*. The Clerk shall also forthwith transit a copy of this Ordinance after final passage to the Township Tax Assessor as required by *N.J.S.A. 40:49-2.1*.

Section 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.2041-2019

EXPLANATION: An Ordinance authorizing the dedication of a certain, ten (10) foot former easement area along East Side Avenue, specifically, along portions of those parcels commonly known on the tax maps of the Township as Block 182.A, Lots 4.A, 5 and 6 (aka 19-23 East Side Avenue), from J.I.M. Enterprises to the Township of Edison, in furtherance of a project subject to the 720 Route 1 Redevelopment Plan.

WHEREAS, J.I.M. Enterprises, Inc. ("**J.I.M. Enterprises**") is the owner of property commonly known as Block 182.A, Lots 4.A, 5 and 6 (aka 19-23 East Side Avenue) (the "**Property**") on the tax map of the Township of Edison (the "**Township**"); and

WHEREAS, on July 16, 2018, J.I.M. Enterprises received, amongst other approvals from the Township Planning Board by way of Application #P10-2018, preliminary and final site plan approval in furtherance of J.I.M. Enterprises' plan to construct, amongst other improvements, a car dealership and fast food restaurant in the area of the Property and in furtherance of the 720 Route 1 Redevelopment Plan (the "**Approval**"); and

WHEREAS, pursuant to the Approval, J.I.M. Enterprises is to dedicate a ten (10) foot former easement area to the Township, same being previously granted to the Township for road widening purposes; and

WHEREAS, the Township's Engineer has reviewed the deed of dedication from J.I.M. Enterprises to the Township concerning the Property, in the form attached hereto as Exhibit A (the "**Deed of Dedication**") and has approved same, pursuant to the Approval and subject to the approval of the municipal council of the Township (the "**Municipal Council**"); and

WHEREAS, pursuant to the Local Lands and Buildings Law, *N.J.S.A. 40A:12-1 et seq.*, an ordinance is required to authorize and accept the attached Deed of Dedication, and the Municipal Council so desires to accept the Deed of Dedication.

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

1. The Township Council hereby authorizes and accept the Deed of Dedication substantially in the form attached hereto as Exhibit A.

2. The Township Council hereby authorizes the Mayor, Township Administrator, Township Clerk, Township Attorney, Chief Financial Officer and other necessary Township Officials to execute, deliver and accept the Deed of Dedication and all other necessary documents and undertake all actions reasonably necessary to effectuate the aforementioned Deed of Dedication and this Ordinance.

3. 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.2042-2019

EXPLANATION: An Ordinance approving the application for long term tax exemption and authorizing the execution of a financial agreement with RG-Edison Urban Renewal, LLC, concerning the property known as Block 124, Lots 2.E6 and 20.02 (in the vicinity of the Route 27 and at the intersection of Vineyard Road).

WHEREAS, RG-Edison Urban Renewal, LLC (the “**Entity**”) proposes to develop certain property identified on the tax maps of the Township of Edison (the “**Township**”) as Block 124, Lots 2.E6 and 20.02 (the “**Property**”), in the vicinity of the Route 27 and at the intersection of Vineyard Road, 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 900,000 square foot warehouse with 404 car parking spaces, 206 trailer parking spaces and 158 loading docks 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 Municipal Council with his recommendation for approval, a copy of which recommendation is on file with the Township Clerk; and

WHEREAS, the Municipal 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.

RESOLUTION R.144-032019

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING March 21, 2019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through March 21, 2019.

FUND	AMOUNT
Current	\$29,604,792.84
Affordable Housing	3,234.17
Capital	149,154.57
Cash Performance	0.00
CDBG	7,435.00
Developers Escrow	37,230.24
Dog (Animal Control)	8,864.49
Federal Forfeited	0.00
Grant Funds	2,923.90
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	531,288.99
Sanitation Fund	212,432.78
Self Insurance	0.00
Sewer Utility	57,358.70
Tax Sale Redemption	464,313.55
Tree Fund	0.00
Tree Planting	0.00
Trust	93,448.21
Edison Landfill Closure Trust	0.00
TOTAL	\$31,172,477.44

/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.145-032019

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 **\$148,542.56**.

RESOLUTION R.146-032019

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 **\$3,963.35**.

RESOLUTION R.147-032019

Authorizing the refund of sewer charge overpayments

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that on various property discharging disposable water into Township of Edison sewer lines, we have received overpayment for sewer use charges due to erroneous or duplicate payments totaling amounts greater than that value billed to their sewer accounts for the indicated year and period; and

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

WHEREAS, the Municipal Council of the Township of Edison desires to authorize the refund of these sewer charge overpayments.

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 in satisfaction of sewer charge overpayments totaling **\$3530.66**, and that this Resolution shall take effect immediately.

March 27, 2019

RESOLUTION R.148-032019

**AUTHORIZING THE TRANSFER OF FUNDS IN THE CALENDAR YEAR 2018 CURRENT FUND
BUDGET APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-59**

WHEREAS, N.J.S.A. 40A:4-59 authorizes the transfer of funds during the last two months of a fiscal year and during the first three months of the subsequent fiscal year; and

WHEREAS, certain calendar year 2018 appropriations as budgeted are insufficient to meet the needs for which those appropriations were originally established while certain other appropriations appear to have surplus balances not currently needed to pay claims for which they were budgeted; and

WHEREAS, the following details explain the accounts to which funds need to be transferred and the accounts from which funds will be transferred from to insure that adequate appropriation balances exist where needed to pay approved claims against the Township;

FROM:

Business Administrator O/E
8-01-20-0100-001-020 \$ 61,000.00

Municipal Clerk O/E
8-01-20-0120-001-020 \$39,000.00

Police S/W
8-01-25-0240-000-010 \$ 800,000.00

Engineering S/W
8-01-20-0165-000-010 \$ 61,000.00

Planning & Zoning S/W
8-01-21-0186-000-010 \$ 50,000.00

Dispatch S/W
8-01-25-0250-000-010 \$80,000.00

TOTAL \$1,091,000.00

TO:

Employee Group Health Other Expenses
8-01-23-0220-000-200 \$880,000.00

Legal O/E
8-01-20-0155-001-020 \$100,000.00

PERS
8-01-36-0471-000-020 \$66,000.00

PFRS
8-01-36-0475-000-020 \$45,000.00

TOTAL \$1,091,000.00

NOW, THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY, THAT the proper Township Officials are hereby authorized to transfer funds as indicated on the annexed spread sheet from those designated appropriations having apparent surplus balances to those designated appropriations having apparent insufficient balances to insure that adequate appropriation balances exist where needed.

RESOLUTION R.149-032019

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, 2019 and ending December 31, 2022.

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 wages, medical benefits, leave without pay, salary guide and educational benefits; 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, in a form similar to that attached hereto as Exhibit A, 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.

RESOLUTION R.150-032019

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 16-30-02: 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 2; and authorizes FINAL CONTRACT PAYMENT for release of retainage in the amount of \$53,102.89 and close-out of the construction project.

WHEREAS, the Township of Edison advertised for a construction contract for Public Bid: 16-30-02: 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT2, 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.125-022017 in a contract amount not to exceed \$2,670528.10 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 \$2,655,144.64 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 \$53,102.89 for a total construction contract as-built cost of \$2,655,144.64.

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. 16-30-02: 2016 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 \$53,102.89 for a total construction contract as-built cost of \$2,655,144.64, and any unused funds be unencumbered.

RESOLUTION R.151-032019

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 16-30-01: 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 1; and authorizes FINAL CONTRACT PAYMENT for release of retainage in the amount of \$46,081.54 and close-out of the construction project.

WHEREAS, the Township of Edison advertised for a construction contract for Public Bid: 16-30-01: 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 1, Township of Edison, Middlesex County, New Jersey under Public Bid No. 16-30-01; and

WHEREAS, Z-Brothers Concrete Cont. Inc., 304 Jernee Mill Road, Sayerville, NJ 08872 was awarded a construction contract through resolution R.124-022017 in a contract amount not to exceed \$2,629,124.90 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 \$2,304,076.81 has been received.

WHEREAS, the Township Engineer recommends acceptance of the project. Additionally, pending receipt of the Maintenance Bond, The Township Engineer recommends the release of the performance bond, and final payment including retainage be made to Z-Brothers Concrete Cont. Inc., in an amount of \$46,081.54 for a total construction contract as-built cost of \$2,304,076.81.

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. 16-30-01: 2016 ROAD RESURFACING PROGRAM – VARIOUS STREETS CONTRACT 1, is deemed accepted by the Township of Edison, New Jersey. Pending receipt of the Maintenance Bond, the project will be 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 \$46,081.54 for a total construction contract as-built cost of \$2,304,076.81, and any unused funds be unencumbered

RESOLUTION R.152-032019

Explanation: A Resolution authorizing the grant of \$14,200.00 from the Township's Affordable Housing Emergency Repairs Program to New Jersey Institute for Disabilities for replacement of the roof at 14 Edgemount Road.

WHEREAS, by Resolution the Township Council approved, authorized and established an Emergency Repairs Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner or rental property, sponsors of permanent supportive housing, shared living arrangements (group homes) and certain public housing units in the Township of Edison, to make eligible repairs/replacements to systems or items, that if neglected, pose threats to the health and/or safety of the current or prospective tenants, and committed \$500,000 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 Emergency Repairs Program in accordance with COAH'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 repairs under the Program; and

WHEREAS, an application to participate in the Program was submitted by New Jersey Institute for Disabilities, was reviewed and deemed complete and in compliance with the Program requirements; and

WHEREAS, the Township Council desires to award a grant to New Jersey Institute for Disabilities for a roof replacement in the amount of \$14,200.00 for the purposes set forth herein under the Township's Emergency Repair Program and to authorize the execution of an Agreement between the Township and New Jersey Institute for Disabilities, 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 grant in the amount of \$14,200.00 from the Township's Affordable Housing Trust Fund with respect to the Township's Emergency Repairs Program, to New Jersey Institute for Disabilities for the Edgemount Road Group Home, for the purposes set forth herein and authorizes the execution of an Agreement with New Jersey Institute for Disabilities, 10 Oak Drive, 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.153-032019

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO AIR BRAKE AND EQUIPMENT
FOR VEHICLE TRANSMISSION REPAIR/REBUILD**

WHEREAS, bids were received by the Township of Edison on March 1, 2019 for Public Bid No. 19-09-07-Vehicle Transmission Repair/Rebuild for the Township of Edison; and

WHEREAS, AIR BRAKE AND EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, submitted the lowest legally responsible, responsive bid; 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 \$140,000.00, 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 AIR BRAKE AND EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205 for Vehicle Transmission Repair/Rebuild for the Township of Edison, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$140,000.00 for the first year and any succeeding renewal year and any other necessary documents, with AIR BRAKE AND EQUIPMENT as described herein.

RESOLUTION R.154-032019

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 STO0000292, to the following:

Permit Number: DEV-0012

Opening Location: 11 GREEN STREET

Block/Lot: 348/5-A

Applicant's Name & Address:

**MARIO PRETA/ LISBON CONTRACTORS, LLC
40 COYLE STREET
PARLIN, NJ 08859**

Initial Deposit Date: 06/11/2018

Deposit Amount: \$200.00

Paid by & refunded to:

**MARIO PRETA/ LISBON CONTRACTORS, LLC
40 COYLE STREET
PARLIN, NJ 08859**

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.155-032019

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 STO0000265, to the following:

Permit Number: 20491

Opening Location: 93 Bloomfield Ave

Block/Lot: 714/42

Applicant's Name & Address:

**ABSOLUTE CONSTRUCTION
115 E.11TH AVE
ROSELLE, NJ 07203**

Initial Deposit Date: 10/31/2017

Deposit Amount: \$360.00

Paid by & refunded to:

**HELEN DELIMAN
93 BLOOMFIELD 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.156-032019

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO SUPER LAUNDRY EQUIPMENT CORP. FOR THE PURCHASE OF ONE (1) UNIMAC DRYING CABINET AND ONE (1) UNIMAC WASHING MACHING FOR THE DIVISION OF FIRE

WHEREAS, quotes were solicited by the Township of Edison for the purchase of one (1) Unimac Drying Cabinet and one (1) Unimac washing machine to include installation, delivery and rigging for the Division of Fire; and

WHEREAS, SUPER LAUNDRY EQUIPMENT CORP., 368 Starke Rd., Carlstadt, NJ 07052, submitted the lowest quote in the amount of \$23,205.00 (\$6,355.00 drying machine, \$13,975.00 washing machine, \$1,750.00 installation and \$1,125.00 for rigging); 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 entering into a PO/contract, Super Laundry Equipment Corp., 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 Super Laundry Equipment Corp., from making any reportable contributions through the term of the contract; and

WHEREAS, funds in the amount of \$23,205.00 have been certified to be available in the Fire Fighting Furniture & Furnishings Account, No. 9-01-25-0265-001-057; 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, with SUPER LAUNDRY, 368 Starke Rd., Carlstadt, NJ 07052, in the amount not to exceed \$23,205.00 for one (1) Unimac Drying Cabinet, one (1) Unimac washing machine, installation, delivery and rigging as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-2 et seq 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.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$23,205.00** have been certified to be available in Account No. **9-01-25-0265-001-057**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.157-032019

**2019 DISTRACTED DRIVING STATEWIDE CRACKDOWN
GRANT APPLICATION AND INITIATIVE**

Whereas, the Division of Police wishes to apply for grant funding in the amount of \$5500.00 to provide additional manpower hours to crack down on distracted drivers; and

WHEREAS, the number of people killed nationwide in distraction-affected crashes were 37,133 in 2017. More of which occurred in urban areas than rural; and

WHEREAS, an enforcement crackdown is planned to combat violations related to distracted driving; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the grant; and

WHEREAS; the project will involve increased enforcement from April 1-21, 2019; and

WHEREAS; an increase in enforcement will save lives on our roadways;

THEREFORE, be it resolved that the Edison Township Council and the Division of Police declares our support for the grant application and participation in the 2019 Distracted Driving Statewide Crackdown Grant between April 1-21, 2019 and pledges to increase awareness of laws pertaining to distracted drivers.

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

RESOLUTION R.158-032019

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER TO SHI INTERNATIONAL CORPORATION FOR THE RENEWAL OF THE EMERGENCY NOTIFICATION SYSTEM FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need for the renewal of the emergency notification system for the Township of Edison for the period of March 31, 2019 – March 30, 2020; and

WHEREAS, SHI INTERNATIONAL CORPORATION, 290 Davidson Avenue, Somerset, NJ 08873 has been awarded State Contract Number 89851 under M-0003 Software License & Related 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 maximum amount of the purchase shall not exceed \$28,700.81; and

WHEREAS, funds in the amount of \$28,700.81 have been certified to be available in the Dispatch 911 Maintenance of Other Equipment, Account No. 9-01-25-0250-000-026, and

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

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

3. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$28,700.81, and any other necessary documents, with SHI INTERNATIONAL CORPORATION, 290 Davidson Avenue, Somerset, NJ 08873 as described herein.
4. 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. 89851 under M-0003.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$28,700.81** are available for the above in **Account No. 9-01-25-0250-000-026**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.159-032018

EXPLANATION: THIS RESOLUTION PROVIDES FOR THE REFUND OF THE UNUSED PORTION OF DEVELOPERS ESCROW FEES POSTED BY FINNE BUILDING AND INVESTMENTS FOR THE PLANNING BOARD APPLICATION NO 00921

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by Finne Building and Investments for a project located at an Unknown address in , Edison, N.J. in Block 0, Lot 0 and Application # 00921 , There is no paperwork on this application , just the bank statements; and

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

WHEREAS; on January 10,2002, Finne Building and Investments posted fees on deposit with the Township of Edison in the account # 7200024657 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 \$ 1000.00 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to Finne Building and Investments ; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$1,000.00 plus accrued interest, if applicable be refunded to Finne Building and Investments , Robert Finne, 180 Oakwood Rd.W , Watchung, N.J 07069

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 1,000.00, plus accrued interest, if applicable, in account #7200024657 to the applicant.

RESOLUTION R. 160-032019

STATE OF NEW JERSEY
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Edison desires to further the public interest by obtaining funding in the amount of \$6,959,800.00, in the form of a \$1,739,950.00 matching grant and, if available, a \$5,219,850.00 loan, from the State to fund the following project: The construction of the Camp Kilmer Turf Fields will include the construction of a three(3) adjoining artificial turf fields (one (1) multi-purpose field and two (2) youth cricket fields), a half-mile walking path, parking facilities, and a grass sitting area. at a cost of \$6,959,800.00 ;

NOW, THEREFORE, the governing body/board resolves that Maureen Ruane or the successor to the office of Business Administrator is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON

1. That the Business Administrator of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Camp Kilmer Turf Fields;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$1,739,950.00;
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

CERTIFICATION

I, Cheryl Russamanno do hereby certify that the foregoing is a true copy of a resolution adopted by MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON at a meeting held on the day of ____, _____.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this

_____,

day of

(name and title of Secretary or equivalent)

RESOLUTION R.161-032019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO FREEHOLD FORD, INC. FOR COLLISION REPAIRS

WHEREAS, bids were received by the Township of Edison on March 7, 2019 for Public Bid No. 19-10-25-Collision Repairs; and

WHEREAS, FREEHOLD FORD, INC., 3572 Route 9, Freehold, NJ 07728, submitted the lowest legally responsible, responsive bid for various items 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 \$130,000.00 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 FREEHOLD FORD, INC., 3572 Route 9, Freehold, NJ 07728 for Collision Repairs, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$130,000.00 for the first year and any succeeding renewal year and any other necessary documents, with FREEHOLD FORD, INC. as described herein.

RESOLUTION R.162-032019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CENTRAL JERSEY COLLISION D/B/A ELIZABETH TRUCK CENTER FOR THE FURNISHING OF COLLISION REPAIRS

WHEREAS, bids were received by the Township of Edison March 7, 2019 for Public Bid No. 19-10-25 – Collision Repairs; and

WHEREAS, CENTRAL JERSEY COLLISION D/B/A ELIZABETH TRUCK CENTER, 878 North Ave., Elizabeth, NJ 07201, submitted the lowest legally responsible, responsive bid for various items 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 \$125,000.00 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 CENTRAL JERSEY COLLISION D/B/A ELIZABETH TRUCK CENTER, 878 North Ave., Elizabeth, NJ 07201 for Vehicle Collision Repairs, is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet .
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$125,000.00 for the first year and any succeeding renewal year and any other necessary documents, with CENTRAL JERSEY COLLISION D/B/A ELIZABETH TRUCK CENTER as described herein.

RESOLUTION R.163-032019

EXPLANATION: A Resolution designating redeveloper and authorizing execution of the Redevelopment Agreement with Open Road of Edison, Inc. for the property identified on the Township Tax Maps as Block 182.A, Lots 4.A, 5, 6, 7.Y and 9.A2, also known as 72 Route 1 North in the Township, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, the Municipal Council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”) pursuant to N.J.S.A. 40A:12A-14, authorized the Planning Board of the Township (the “**Planning Board**”) to determine whether Block 182.A, Lots 4.A, 5, 6, 7.Y and 9.A2, also known as 72 Route 1 North, in the Township met the statutory criteria for designation as an “area in need of rehabilitation” (the “**Study Area**”) pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“**Redevelopment Law**”); and

WHEREAS, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with N.J.S.A. 40A:12A-14; and

WHEREAS, the Planning Board found that the Study Area satisfied certain statutory criteria and thus constituted an area in need of rehabilitation in accordance with N.J.S.A. 40A:12A-14; and

WHEREAS, on June 28, 2017, the Municipal Council adopted Resolution R. 403-062017 which designated the Study Area as an “area in need of redevelopment” pursuant to the Redevelopment Law (“**Redevelopment Area**”); and

WHEREAS, on May 9, 2018 the Municipal Council adopted Ordinance O. 2007-2018 by which it accepted the findings of the Planning Board and adopted, in accordance with the Redevelopment Law, a redevelopment plan entitled “720 Route 1 Redevelopment Plan” prepared by Heyer, Gruel & Associates (the “**Redevelopment Plan**”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, the Township has determined to act as the “**Redevelopment Entity**” (as such term is defined at N.J.S.A. 40A:12A-3) for the Redevelopment Area to exercise the powers contained in the Redevelopment Law; and

WHEREAS, Open Road Edison, Inc. (the “**Redeveloper**”) desires to be designated as the “redeveloper” (as such term is defined in the Redevelopment Law) to implement and complete the redevelopment of a pre-owned automobile dealership which shall consist of and automobile dealership with showroom, sales and service facilities, and other accessory uses (the “**Project**”); and

WHEREAS, the Township has determined that the Redeveloper meets all necessary criteria, including financial capabilities, experience, and expertise to implement and complete the rehabilitation of the Project in accordance with the Redevelopment Plan and all other applicable laws, ordinances and regulations; and

WHEREAS, the Township and Redeveloper have negotiated the terms and conditions of a redevelopment agreement governing the the Project (the “**Redevelopment Agreement**”); and

WHEREAS, the Township has determined the Project to be in the vital and best interests of the Township, and that it promotes the health, safety, morals and welfare of the Township’s residents; and

WHEREAS, the Township desires to designate the Redeveloper as the redeveloper of the Project and to authorize the execution of the Redevelopment Agreement,

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. The Municipal Council hereby authorizes the execution the Redevelopment Agreement with Redeveloper, substantially in the form attached hereto as Exhibit A and by this reference incorporated herein.

Section 3. The Mayor is authorized to execute the Redevelopment Agreement with Redeveloper in substantially the same form as the Redevelopment Agreement attached hereto, with such additions, deletions and modifications as the Mayor may determine necessary upon consultation with counsel and the Redeveloper.

Section 4. Open Road Edison, Inc., is hereby designated as the redeveloper of the Project, subject to the execution of the Redevelopment Agreement.

Section 5. 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.

Section 6. A copy of this Resolution shall be filed and available for public inspection at the in the offices of the Township.

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.164-032019

EXPLANATION: A Resolution referring the Woodbridge Avenue Redevelopment Plan for Block 390.A, Lot 1.4A (844 King Georges Post Road) to the Edison Planning Board for review and comment, pursuant to the Local Redevelopment and Housing Law.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”) authorizes the Township of Edison (the “Township”) to determine whether certain parcels of land in the municipality constitute “areas in need of rehabilitation” and/or “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 of the Township (“Municipal Council”) 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, on May 27, 2015, the Municipal Council adopted a resolution authorizing and directing the Planning Board to conduct an investigation of the property commonly known on the Township tax maps as Block 755.B, Lot 38 and Block 390.A, Lot 1.A4 and 4.0201 (collectively, 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, which designation would authorize the Township and Municipal Council to use all those powers permitted by the Redevelopment Law, other than the power of eminent domain; and

WHEREAS, on October 19, 2015, the Planning Board held a public hearing in accordance with *N.J.S.A. 40A:12A-6* at which it reviewed the findings of a report prepared by Heyer, Gruel & Associates entitled “Block 390.A, Lot 1.A4 & Block 755.B, Lot 38, Redevelopment Study” dated September 2015 (the “Redevelopment Study”) which determined that the Study Area met the criteria for designation as an “area in need of redevelopment” under the Redevelopment Law, and adopted a resolution which endorsed the findings of the Redevelopment Study and recommended to the Municipal Council, pursuant to *N.J.S.A. 40A:12A-6*, that the Study Area be designated as an “area in need of redevelopment”; and

WHEREAS, on October 28, 2015, the Municipal Council accepted the recommendation of the Planning Board and adopted a resolution which designated Block 390.A, Lot 1.A4 (also known as 844 King Geroges Post Road) as an “area in need of redevelopment” (“Redevelopment Area”) in accordance with the Redevelopment Law; and

WHEREAS, by commission of the Municipal Council, a redevelopment plan was drafted for the Redevelopment Area entitled the “Woodbridge Avenue Redevelopment Plan” (“Redevelopment Plan,” attached hereto as *Exhibit A*); and

WHEREAS, the Municipal Council desires to refer 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, County of Middlesex, New Jersey that:

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

RESOLUTION R.165-032019

EXPLANATION: A Resolution designating redeveloper and authorizing execution of the Redevelopment Agreement with RG-Edison Urban Renewal, LLC for the property identified on the Township Tax Maps as Block 124, Lots 2.E6, 20.01 and 20.02, in the vicinity of Route 27 and Vineyard Road in the Township, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, the Municipal Council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”) pursuant to N.J.S.A. 40A:12A-14, authorized the Planning Board of the Township (the “**Planning Board**”) to determine whether Block 124, Lots 2.E6 and 20.02, in the vicinity of Route 27 and Vineyard Road in the Township, in the Township met the statutory criteria for designation as an “area in need of redevelopment” (the “**Study Area**”) pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“**Redevelopment Law**”); and

WHEREAS, the Municipal Council of the Township (the “**Municipal Council**”), pursuant to N.J.S.A. 40A:12A-6, authorized the Planning Board of the Township (the “**Planning Board**”) to determine whether the land commonly known as Block 124, Lots 2.E6 and 20.02 in the Township (“**Study Area**”) met the statutory criteria for designation as an “area in need of redevelopment” pursuant to the provisions of the Redevelopment Law; and

WHEREAS, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with N.J.S.A. 40A:12A-6 and found that the Study Area satisfied certain statutory criteria and thus constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, on July 26, 2017, the Municipal Council adopted Resolution R.446-072017 which designated the Study Area as an “area in need of development” pursuant to the Redevelopment Law; and

WHEREAS, on March 28, 2018, the Municipal Council authorized the Planning Board to determine whether the land commonly known as Block 124, Lot 20.01 in the Township (the “**Extended Study Area**”) met the statutory criteria for designation as an “area in need of redevelopment” pursuant to the Redevelopment Law;

WHEREAS, on June 4, 2018, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with N.J.S.A. 40A:12A-6 and found that the Extended Study Area satisfied certain statutory criteria and thus constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, on June 13, 2018, the Municipal Council adopted Resolution R.311-062018 which designated the Extended Study Area as an “area in need of development” pursuant to the Redevelopment Law (the Extended Study Area, together with the Study Area, the “**Redevelopment Area**” or “**Property**”); and

WHEREAS, RG-Edison Urban Renewal, LLC (the “**Redeveloper**”) desires to be designated as the “redeveloper” (as such term is defined in the Redevelopment Law) to implement and complete the redevelopment of a 900,000 square foot warehouse with 404 car parking spaces, 206 trailer parking spaces and 158 loading docks (the “**Project**”); and

WHEREAS, the Township has determined that the Redeveloper meets all necessary criteria, including financial capabilities, experience, and expertise to implement and complete the rehabilitation of the Project in accordance with the Redevelopment Plan and all other applicable laws, ordinances and regulations; and

WHEREAS, the Township and Redeveloper have negotiated the terms and conditions of a redevelopment agreement governing the Project (the “**Redevelopment Agreement**”); and

WHEREAS, the Township has determined the Project to be in the vital and best interests of the Township, and that it promotes the health, safety, morals and welfare of the Township’s residents; and

WHEREAS, the Township desires to designate the Redeveloper as the redeveloper of the Project and to authorize the execution of the Redevelopment Agreement,

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. The Municipal Council hereby authorizes the execution the Redevelopment Agreement with Redeveloper, substantially in the form attached hereto as Exhibit A and by this reference incorporated herein.

Section 3. The Mayor is authorized to execute the Redevelopment Agreement with Redeveloper in substantially the same form as the Redevelopment Agreement attached hereto, with such additions, deletions and modifications as the Mayor may determine necessary upon consultation with counsel and the Redeveloper.

Section 4. RG-Edison Urban Renewal, LLC, is hereby designated as the redeveloper of the Project, subject to the execution of the Redevelopment Agreement.

Section 5. 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.

Section 6. A copy of this Resolution shall be filed and available for public inspection at the in the offices of the Township.

Section 7. This Resolution shall take effect immediately.

RESOLUTION R.166-032019

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Thomas and Karen Shea, with respect to Block 415, Lot 5.B1 on the Edison Township Tax Map, and more commonly known as 1681 Woodland Avenue.

WHEREAS, Block 415, Lot 5.B1, more commonly known as 1681 Woodland Avenue, as shown on the Township of Edison tax maps (the "**Property**") was the subject of an application before the Planning Board of the Township of Edison (hereinafter the "**Board**") made by Thomas and Karen Shea ("**Developer**") for preliminary and final site plan approval related to the subdivision of a 17.03 tract of land located on the eastern side of Woodland Avenue, to create thirteen (13) lots, two (2) of which will be used for detention purposes, while the existing family dwelling will remain on one (1) lot, and the remaining ten (10) lots will be for ten (10) new single family homes at the Property (the "**Project**"); and

WHEREAS, the Board granted final site plan approval for the Project by adoption of a resolution on August 14, 2017 (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.167-032019

EXPLANATION: A Resolution retaining DIGroup Architecture for the purpose of providing professional architectural and engineering design services for the new proposed recreation Building at Jefferson Boulevard.

WHEREAS, the Township of Edison (“**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 architectural and engineering services for the new proposed recreation building to be located at Jefferson Boulevard in the Township, and determined that DIGroup Architecture, 15 Bethany Street, New Brunswick, New Jersey 08901 (“**DIGroup**”) shall provide the proposed services in accordance with the terms set forth in said proposal, dated March 11, 2019, and attached hereto as Exhibit A (the “**Proposal**”); and

WHEREAS, funds for the proposed services are available in Account C-04-18-2028-112-000, and shall be in a lump sum payment amount not to exceed Forty-Eight Thousand Dollars (\$48,000.00), in furtherance of the Scope of Basic Services set forth in the Proposal (the “**Proposal Services**”).

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 retain DIGroup for the Proposal Services, related to the engineering and design of the proposed new recreation building to be located at Jefferson Boulevard.
- Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with DIGroup in accordance with the terms set forth in the Proposal.
- Section 4. Funds for the Proposal Services are available in Account C-04-18-2028-112-000, and the Proposal Services shall be in an amount not to exceed Forty-Eight Thousand Dollars (\$48,000.00).
- 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.168-032019

EXPLANATION: Resolution Refunding Cash Performance to Glendale Warehouse and Distribution Expansion. Application # Z35-2014 in Account # CP 171231GL

WHEREAS, the Township Engineer advises that an inspection has been made of Glendale Warehouse and Distribution Application #**Z35-2014**, 742 Old Post Road Block:266.A Lot: 19.04, 20B.,21 and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance posted on in the amount of **\$14,563.20** plus accrued interest, if applicable on deposit in account #**CP171231GL** with the Township of Edison, principal being Glendale Warehouse and Distribution., having offices at 742 Old Post Road, Edison,NJ,08817 and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to return the aforesaid Cash Performance in the amount of **\$14,563.20** plus accrued interest, if applicable, on deposit in account # **CP171231GL** to the applicant, Glendale Warehouse and distribution, 742 Old Post Road , Edison , NJ,08817 .

RESOLUTION R.169-032019

WHEREAS, on October 19, 2016 KimMar Developers posted Tree Maintenance Bond fees in the amount of \$2,775.00, with Check No. 25716 on deposit with the Township of Edison in account #TP161018KI to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 1 Mila Court., Block 498, Lot 15.01, Edison, NJ, 08820;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$2,775.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$2,775.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$2,775.00, plus any accrued interest as applicable, on deposit in Account #TP161018KI to KimMar Developers, LLC, 1 Mila Court, Edison, NJ 08820, for the referenced property at 1 Mila Court, Edison, NJ, 08820, Block 3.B, Lot 15.01

RESOLUTION R.170-032019

WHEREAS, October 13, 2015 George Appau-Decotemps Construction Co. posted Tree Maintenance Bond fees in the amount of \$375.00, with Check No. 1503 on deposit with the Township of Edison in account #7763748456 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 2 Hillsdale Road, Block 556.B, Lot 46, Edison, NJ, 08820;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$375.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$375.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$375.00, plus any accrued interest as applicable, on deposit in Account #7763748456 to 8 Norcross Ave, Metuchen, NJ 08840 for the referenced property at 2 Hillsdale Road, Edison NJ 08820 Block: 556.B Lot: 46

RESOLUTION R.171-032019

WHEREAS, December 22, 2014, A. Ferraro Construction LLC, posted Tree Maintenance Bond fees in the amount of \$375.00, with Check No. 3431 on deposit with the Township of Edison in account #7763396502 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 8 Harding Ave, Block 1020, Lot 23, Edison, NJ, 08820;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$375.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$375.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$375.00, plus any accrued interest as applicable, on deposit in Account #7763396502 to 429 Oak Ridge Rd, Clark NJ 07066 for the referenced property at 8 Harding Ave, Edison NJ 08820 Block: 1020 Lot: 23

RESOLUTION R.172-032019

WHEREAS, October 15, 2015, Westbrook Estate LLC, posted Tree Maintenance Bond fees in the amount of \$75.00, with Check No. 1783 on deposit with the Township of Edison in account #7763748464 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 111 Oakland Ave, Block 221, Lot 15.01, Edison, NJ, 08817;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$75.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$75.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$75.00, plus any accrued interest as applicable, on deposit in Account #7763748464 to Westbrook Estate, P.O. Box 35, Glen Gardner NJ 08826 for the referenced property at Oakland Ave, Edison NJ 08817 Block: 221 Lot: 15.01

RESOLUTION R.173-032019

WHEREAS, April 23, 2013 Markim Developers LLC, posted Tree Maintenance Bond fees in the amount of \$1,800.00, with Check No. 1383 on deposit with the Township of Edison in account #7762515665 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 10 Stephenville Parkway, Block 1018, Lot 11, Edison, NJ, 08820;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$1,800.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$1,800.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$1,800.00, plus any accrued interest as applicable, on deposit in Account #7762515665 to Markim Developers LLC, 910 Amboy Ave, Edison NJ 08837 for the referenced property at 10 Stephenville Parkway, Edison NJ 08820 Block: 1018 Lot: 11

RESOLUTION R.174-032019

WHEREAS, November 18, 2014, A. Ferraro Construction LLC, posted Tree Maintenance Bond fees in the amount of \$675.00, with Check No. 3386 on deposit with the Township of Edison in account #7763396495 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 20 Frances Road, Block 1020, Lot 12, Edison, NJ, 08820;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$675.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$675.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$675.00, plus any accrued interest as applicable, on deposit in Account #7763396495 to 429 Oak Ridge Rd, Clark NJ 07066 for the referenced property at 20 Frances Road, Edison NJ 08820 Block: 1020 Lot: 12

RESOLUTION R.175-032019

WHEREAS, July 31, 2007, Ideal C.D.R., posted Tree Maintenance Bond fees in the amount of \$990.00, with Check No. 14970 on deposit with the Township of Edison in account #7760237723 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 8 Edgewood Road, Block 557.B, Lot 13, Edison, NJ, 08820;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$990.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$990.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$990.00, plus any accrued interest as applicable, on deposit in Account #7760237723 to Ideal C.D.R., 104 Norcross Avenue, Suite A, Metuchen NJ 08840 for the referenced property at 8 Edgewood, Edison NJ 088 Block: 557.B Lot: 13

RESOLUTION R.176-032019

EXPLANATION: A Resolution authorizing and approving the Place-to-Place transfer of the Plenary Retail Distribution License held by Rishrik, LLC d/b/a Wine O Land to premises located at 1199 Amboy Avenue, C-3 and 4 in Edison.

WHEREAS, an application has been filed with the Township of Edison for a Place-to-Place transfer of a Plenary Retail Distribution Liquor License, No. 1205-44-064-006, issued to Rishrik, LLC d/b/a Wine O Land (“Applicant”) from the Applicant’s existing business premises located at 1199 Amboy Avenue, C-3 and 4 to a new business location expansion to include C-5 1199 Amboy Avenue, Edison; and

WHEREAS, public notice of this transfer has been published in **THE HOME NEWS TRIBUNE**, a New Jersey publication, in accordance with law; and

WHEREAS, no legally valid objections have been received nor made as to why this transfer should not be granted to the Applicant; and

WHEREAS, the Applicant’s submitted application form is complete in all respects, the applicable transfer fees have been paid and the respective liquor license has been properly renewed for the current license term.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Entity’s application for a Place-to-Place transfer of Plenary Retail Distribution Liquor License No. 1205-44-064-007 as to business premises now to be located at 1199 Amboy Avenue, C-3, 4 & 5, Edison is hereby granted, effective immediately.
3. The Township Clerk is hereby directed to endorse the Applicant’s current license certificate as follows: “This license, subject to all of its terms and conditions, is hereby transferred to premises located at 1199 Amboy Avenue, C-3,4 & 5 Edison, New Jersey.”
4. This Resolution shall take effect immediately.

RESOLUTION R.177-032019

WHEREAS, it is the duty of the Municipal Council to appoint a member to the Planning Board; and

WHEREAS, the Municipal Council has selected Leonard D. Sendelsky to be appointed to said Board.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Councilman Leonard D. Sendelsky, 66 Richard Road, Edison, New Jersey 08820 be and he is hereby appointed as a Class III Member of the Planning Board for a one year term, said term to expire December 31, 2019.

RESOLUTION R.178-032019

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 546-I, Lot 37 (aka 1696 Oak Tree Road) satisfies the criteria to be designated ‘an area in need of redevelopment’ 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 546-I, Lot 37 (aka 1696 Oak Tree Road) 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-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.