

**AGENDA
MUNICIPAL COUNCIL
REGULAR MEETING
Wednesday, April 11, 2018
7:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 9, 2017 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **APPROVAL OF MINUTES:**
 - a. Worksession Meeting of March 12, 2018
 - b. Regular Meeting of March 14, 2018
5. **COUNCIL PRESIDENT'S REMARKS**
6. **NEW BUSINESS:**

**PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR
WEDNESDAY, APRIL 25, 2018.**

O.2004-2018 **AN ORDINANCE AMENDING TOWNSHIP CODE CHAPTER II, ENTITLED "ADMINISTRATION," TO CLARIFY THE EXISTING FEE STRUCTURE AND INSTITUTE A FEE TO BE COLLECTED BY THE TAX COLLECTOR FOR THE DISCHARGE OF TAX SALE CERTIFICATES.**

O.2005-2018 **AN ORDINANCE ADOPTING N.J.S.A. 19:44A-1 ET SEQ. TO SUPERSEDE AND REPEAL TOWNSHIP CODE CHAPTER 4-8 AND CHAPTER 4-11 WITH RESPECT TO THE AWARD OF PUBLIC CONTRACTS TO POLITICAL CONTRIBUTORS.**
7. **PUBLIC COMMENT ON THE RESOLUTIONS:**
8. **PROPOSED RESOLUTIONS**

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

Consent Agenda

- R.191-042018 Resolution approving disbursements for the period ending, April 5, 2018.
- R.192-042018 Resolution authorizing refund in the amount of \$243,747.04 for redemption of tax sale certificates.
- R.193-042018 Resolution authorizing refund for tax overpayments totaling, \$5,038.38.
- R.194-042018 Temporary Budget Appropriations
- R.195-042018 Resolution Awarding Contract/Purchase Order To CDW Government LLC for the Renewal of Hardware & Software Support for the Township Servers in the amount of \$18,247.31.
- R.196-042018 This Resolution authorizes the Mayor to execute the attached Quitclaim Deed with respect to the private sale of the vacated portion of Peck Place, which adjoins Block 887, Lot 10.B (located at 78 Fairview Avenue), as shown on the Township of Edison tax maps.
- R.197-042018 Resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit #2018-0888 in the amount of \$95.00 for 14 Dana Circle.
- R.198-042018 Resolution refunding Cash Performance and Performance to Scannell Development co. Application #Z33-2017 Fed Ex Warehouse in acct.# CP171001SC and Performance Surety Bond #106727195.
- R.199-042018 Resolution refunding Cash Performance and Performance to Fox & Foxx Development, LLC, 35 Dorothy Avenue application #P5173, Acct. #CP170208FO and Performance Surety Bond #1061534.
- R.200-042018 Resolution refunding Cash Performance and Performance to Fox & Foxx Development, LLC, 65 Waltuma Avenue, Application #P5172. Acct.# CP170208F2 and Performance Surety Bond #1061535.
- R.201-042018 Resolution authorizing a reimbursement for the ABC program to Carla Valente in the amount of \$300.00.
- R.202-042018 Resolution in support of a 100% renewable energy standard.

9. **ORAL PETITIONS AND REMARKS**

10. **ADJOURNMENT**

ORDINANCE O.2004-2018

EXPLANATION: An Ordinance amending Township Code Chapter II, entitled “ADMINISTRATION,” to clarify the existing fee structure and institute a fee to be collected by the Tax Collector for the discharge of tax sale certificates.

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

WHEREAS, the Township Municipal Council (“Municipal Council”) has determined to amend the Township Code of Ordinances (“Code”) to clarify the existing fee structure and institute a fee to be collected by the Tax Collector for the discharge of tax sale certificates; and

WHEREAS, the Municipal Council has determined to amend Chapter II, Article VI, Section 2-128.2 of the Code, entitled “Fees Established,” by modifying subsection “g.” to read as follows (additions are underlined and deletions are in [brackets]):

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

g. Handling of Tax Sale Certificates [Certificate of Redemption.] [\$25.00]
[(Replacement for lost Tax Sale Certificate or Certificate of Redemption)]

1. Discharge or Cancellation of Record of Tax Sale Certificates. Upon redemption of a Tax Sale Certificate, the Tax Collector shall send the certificate to the Middlesex County Clerk for cancellation of record. The Township shall impose a charge of thirty dollars (\$30.00) to handle, process and mail the cancelled certificate to the County. The Tax Collector shall collect the charge for each Tax Sale Certificate redeemed or when service requested at any time after the redemption occurred.
2. Certificate of Redemption. In the event that an original redeemed Tax Sale Certificate, already signed for cancellation by the Lien Holder, is lost and needed to be replaced to prove payment, and/or for processing of cancellation of record, the Tax Collector shall issue a notarized certificate of redemption and impose a charge of twenty-five dollars (\$25.00) due upon the issuing.”

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

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

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

2. The Municipal Council hereby amends Chapter II, Article VI, Section 2-128.2, subsection "g." to read as follows:

g. *Handling of Tax Sale Certificates*

1. Discharge or Cancellation of Record of Tax Sale Certificates. Upon redemption of a Tax Sale Certificate, the Tax Collector shall send the certificate to the Middlesex County Clerk for cancellation of record. The Township shall impose a charge of thirty dollars (\$30.00) to handle, process and mail the cancelled certificate to the County. The Tax Collector shall collect the charge for each Tax Sale Certificate redeemed or when service requested at any time after the redemption occurred.

2. Certificate of Redemption. In the event that an original redeemed Tax Sale Certificate, already signed for cancellation by the Lien Holder, is lost and needed to be replaced to prove payment, and/or for processing of cancellation of record, the Tax Collector shall issue a notarized certificate of redemption and impose a charge of twenty-five dollars (\$25.00) due upon the issuing."

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this ordinance into the Code. All of the remaining provisions in the Chapter II of the Code shall remain unchanged and have full force and legal effect. All other resolutions and ordinances governing the handling of tax sale certificates heretofore enacted and inconsistent herewith are hereby modified pursuant to the terms of this Ordinance.

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

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

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

ORDINANCE O.2005-2018

EXPLANATION: An Ordinance adopting N.J.S.A. 19:44A-1 et seq. to supersede and repeal Township Code Chapter 4-8 and Chapter 4-11 with respect to the award of public contracts to political contributors.

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

WHEREAS, the State of New Jersey adopted comprehensive legislation codified at N.J.S.A. 19:44A-1 et seq., which differs slightly from Chapter 4-8, subsections 8.1, 8.2, 8.3, 8.4 and 8.5 and Chapter 4-11, subsections 11.1, 11.2, 11.3, 11.4, 11.5 and 11.6 of the Township Code; and

WHEREAS, the Municipal Council has determined that the disparities between N.J.S.A. 19:44A-1 et seq. and Chapter 4-8 and Chapter 4-11 of the Township Code have caused confusion among those seeking or performing business within the Township; and

WHEREAS, the Municipal Council has determined that N.J.S.A. 19:44A-1 et seq., properly and effectively protects the tax payers and residents of the Township; and

WHEREAS, the Municipal Council has determined that it would be in the best interest of the Township to adopt N.J.S.A. 19:44A-1 et seq. to supersede and repeal Chapters 4-8 and 4-11 of the Township Code, entitled “Public Contracts to Certain Contributors,” and replace as follows:

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

4-8 Public Contracts to Certain Contributors.

The statutory language of N.J.S.A. 19:44A-1 et seq., effective as of January 1, 2006, is incorporated by reference as though fully set forth herein.

4-11 Redevelopment Pay-to-Play Reform.

The statutory language of N.J.S.A. 19:44A-1 et seq., effective as of January 1, 2006, is incorporated by reference as though fully set forth herein.

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

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

1. Chapter 4-8, which includes subsections 8.1, 8.2, 8.3, 8.4 and 8.5, and Chapter 4-11, which includes subsections 11.1, 11.2, 11.3, 11.4, 11.5 and 11.6 of the Township Code are hereby repealed.

2. The remainder of Chapter 4 of the Township Code is saved from repeal and shall remain in full force and effect.

3. The Municipal Council hereby adopts the State of New Jersey legislation codified at N.J.S.A. 19:44A-1 et seq. to replace the repealed Chapter 4-8 and Chapter 4-11.

4. Chapter 4-8 of the Township Code will read as follows:

4-8 Public Contracts to Certain Contributors.

The statutory language of N.J.S.A. 19:44A-1 et seq., effective as of January 1, 2006, is incorporated by reference as though fully set forth herein.

5. Chapter 4-11 of the Township Code will read as follows:

4-11 Redevelopment Pay-to-Play Reform.

The statutory language of N.J.S.A. 19:44A-1 et seq., effective as of January 1, 2006, is incorporated by reference as though fully set forth herein.

6. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

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

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

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

RESOLUTION R.191-042018

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING APRIL 5, 2018.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through April 5, 2018.

FUND	AMOUNT
Current	\$4,377,786.25
Sewer Utility	259,160.43
Capital	1,786,878.26
Grant Funds	2,522.00
Dog (Animal Control)	14,510.54
Trust	135,221.26
CDBG	15,010.20
Tree Fund	0.00
Payroll Deduction	520,415.97
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Sanitation Fund	226,414.45
Self Insurance	0.00
Affordable Housing	26,375.57
Cash Performance	137,806.78
Developers Escrow	5,589.28
Tree Planting	0.00
Federal Forfeited	0.00
Tax Sale Redemption	241,370.36
Water Operating Fund	0.00
Edison Landfill Closure Trust	0.00
TOTAL	\$7,749,061.35

/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.192-042018

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 **\$243,747.04**.

RESOLUTION R.193-042018

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 **\$5,038.38**.

RESOLUTION R.194-042018

TEMPORARY BUDGET APPROPRIATIONS

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

WHEREAS, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by March 20, 2018 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2018 Calendar Year Budget,

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

<u>CURRENT FUND</u>	<u>AMOUNT</u>
BUSINESS ADMINISTRATOR Salary	111,062.08
BUSINESS ADMINSTRATOR Other Expenses	8,336.50
PURCHASING Salary	39,228.72
PURCHASING Other Expenses	27,682.75
PURCHASING CENTRAL STORE Other Expenses	5195.33
COMMUNICATIONS/EDISON TV Salary	23,935.12
COMMUNICATIONS/EDISON TV Other Expenses	3,095.28
PERSONNEL/HR Salary	34,282.80
PERSONNEL/HR Other Expenses	804.17
MAYOR Salary	7,538.48
MAYOR Other Expenses	200.00
COUNCIL Salary	13,076.96
COUNCIL Other Expenses	615.00
MUNICIPAL CLERK Salary	34,803.24
MUNICIPAL CLERK Other Expenses	10,675.00
ETHICS COMMISSION Other Expenses	304.17
FINANCE DEPARTMENT Salary	1,200.00

FINANCE DEPARTMENT Other Expenses	10,437.50
DISBURSEMENTS Salary	48,173.16
DISBURSEMENTS Other Expenses	400.33
PAYROLL Salary	9,101.56
PAYROLL Other Expenses	181.00
AUDIT SERVICES	6,007.33
DATA PROCESSING Other Expenses	0.00
TAX COLLECTION Salary	50,590.89
TAX COLLECTION Other Expenses	2,514.17
TAX ASSESSMENT Salary	51,756.96
TAX ASSESSMENT Other Expenses	13,916.67
LEGAL DEPARTMENT Salary	12,461.52
LEGAL DEPARTMENT Other Expenses	61,666.67
ENGINEERING SERVICES Salary	86,995.03
ENGINEERING SERVICES Other Expenses	23,890.08
PLANNING BOARD Other Expenses	1,933.33
ENVIRONMENTAL COMM Other Expenses	108.33
ZONING BOARD Other Expenses	2,183.33
PLANNING & ZONING DEPT Salary	0.00
PLANNING & ZONING Other Expenses	8,500.00
CONSTRUCTION ENFORC AGENCY Salary	45,000.00
CONST ENF AGENCY Other Expenses	27,775.00
RENT CONTROL BOARD Salary	2,530.04
RENT CONTROL BOARD Other Expenses	116.67
GROUP HEALTH INSURANCE	2,285,642.62
EMPLOYEE SALARY AND WAGES(WAIVERS)	52,175.38
UNEMPLOYMENT INSURANCE EXPENSE	16,666.67
INSURANCE & SURETY Expense	0.00
LOSAP-Other Expenses	8,333.33

POLICE DEPARTMENT Salary	3,098,969.62
POLICE DEPARTMENT Other Expenses	89,712.50
DISPATCH 911 Salary	210,183.87
DISPATCH 911 Other Expenses	56,000.00
OFFICE OF EMRGNCY MGMT Other Expenses	1,250.00
AID TO VOL FIRE	9,166.67
AID TO VOL FIRST AID	8,750.00
FIRE FIGHTING Salary	2,956,786.40
FIRE FIGHTING Other Expenses	45,151.08
FIRE PREVENTION Salary	49,455.68
FIRE PREVENTION Other Expenses	10,125.00
FIRE HYDRANT CHARGES	128,953.33
STREETS & ROADS Salary	75,924.35
STREETS & ROADS Other Expenses	27,066.67
SOLID WASTE RECYCLING Salary	125,763.24
SOLID WASTE RECYCLING Other Expenses	5,154.17
BUILDINGS & GROUNDS Salary	184,259.62
BUILDINGS & GROUNDS Other Expenses	19,333.33
MUNICIPAL GARAGE Salary	109,365.51
MUNICIPAL GARAGE Other Expenses	7,991.67
POLICE VEHICLES Salary	33,525.87
POLICE VEHICLES Other Expenses	37,237.50
CONDO COMMUNITY COSTS	13,333.33
HEALTH Salary	249,355.84
HEALTH Other Expenses	10,575.00
SENIOR CITIZEN Salary	58,789.86
SENIOR CITIZEN Other Expenses	3,312.50
RECREATION Salary	279,897.07
RECREATION Other Expenses	48,527.17

PARKS & TREES Salary	192,172.25
PARKS & TREES Other Expenses	32,691.67
FREE PUBLIC LIBRARY Salary	392,868.64
FREE PUBLIC LIBRARY Other Expenses	508,725.15
CELEBRATION OF PUBLIC EVENTS EXPENSES	5,083.33
PUBLIC BUILDINGS HEAT,LIGHT,POWER	78,822.42
STREET LIGHTING EXPENSE	91,666.67
PUBLIC BUILDINGS TELEPHONE	20,833.33
FUEL & LUBRICANTS Other Expenses	67,987.08
CONTINGENT Expense	4,166.67
PERS Expense	0.00
O.A.S.I. (SOCIAL SECURITY) Expense	422,223.35
Defined Contribution Retirement Program Expenses	2,833.33
PFRS Expenses	0.00
MUNICIPAL COURT Salary	91,762.40
MUNICIPAL COURT Other Expenses	4,422.50
PUBLIC DEFENDER Salary	5,833.33
PUBLIC DEFENDER Other Expenses	166.67
TOTAL CURRENT FUND	<u><u>13,027,268.81</u></u>

SEWER UTILITY FUND

AMOUNT

SEWER Salary	215,030.00
SEWER Other Expenses	364,191.68
SEWER Sewerage Disposal Charges	875,000.00
SEWER Public Emp Retirement Sys (PERS)	0.00
SEWER Social Security (OASI)	17,500.00
TOTAL SEWER UTILITY FUND	<u><u>1,471,721.68</u></u>

SANITATION FUND

AMOUNT

SANITATION Salary	321,226.77
SANITATION Other Expenses	222,623.72
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	298,605.50
SANITATION Public Emp Retirement Sys (PERS)	0.00
SANITATION Social Security (OASI)	16,666.67
SANITATION Disposal Fees	133,333.33
SANITATION-Capital Outlay	83333.33
TOTAL SANITATION FUND	<hr/> <u>1,075,789.32</u> <hr/>

RESOLUTION R.195-042018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW GOVERNMENT LLC FOR THE RENEWAL OF HARDWARE & SOFTWARE SUPPORT FOR THE TOWNSHIP SERVERS

WHEREAS, there is the need for the renewal of the Hardware & Software Support for the Township Servers for the Township of Edison for the period of May 1, 2018 – April 30, 2019 in the total amount of \$18,247.41; and

WHEREAS, **CDW-GOVERNMENT LLC**, 230 North Milwaukee Ave., Vernon Hills, IL 60061, has been awarded State Contract Number 40116 under M-0483/NASPO VALUEPOINT COMPUTER; and

WHEREAS, funds in the amount of \$18,247.41 have been certified to be available in Dispatch 911 Maintenance of other Equipment Account, number 8-01-25-0250-000-026; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$18,247.41 and any other necessary documents, with **CDW-GOVERNMENT LLC**, 230 North Milwaukee Ave., Vernon Hills, IL 60061, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 40116, under M-0483.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$18,247.41** are available in Account number **8-01-25-0250-000-026**.

Nicholas C. Fargo
Chief Financial Officer

Date

RESOLUTION R.196-042018

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Quitclaim Deed with respect to the private sale of the vacated portion of Peck Place, which adjoins Block 887, Lot 10.B (located at 78 Fairview Avenue), as shown on the Township of Edison tax maps.

WHEREAS, by Ordinance dated February 8, 1978, effective February 28, 1978 (“the **Ordinance**”), the Township of Edison (the “**Township**”) authorized the vacation of Peck Place (“**Vacated Street**”), in its entirety from Fairview Avenue to the Pennsylvania Railroad;

WHEREAS, pursuant to N.J.S.A. 40:60-28, the Township may convey the Vacated Street through private sale to the owner of the adjoining property, which is located at Block 887, Lot 10.B, and more commonly known as 78 Fairview Avenue in the Township (the “**Adjoining Property**”); and

WHEREAS, the tax records of the Township currently describe the lot size of the Adjoining Property as 150’ by 167’, and the Adjoining Property has been assessed at this size since adoption of the Ordinance in 1978; and

WHEREAS, Anna Lowenfels is the current owner of record (the “**Owner**”) of the Adjoining Property; and

WHEREAS, pursuant to N.J.S.A. 40:60-28, the Township is willing to quitclaim to the Owner and her successors and assigns, any and all interests the Township has in the Vacated Street; and

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 aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby authorizes and approves the execution and delivery of a quitclaim deed to the Owner, her successors and assigns, the Township’s interest in the Vacated Street (the “**Quitclaim Deed**”).
3. The Mayor is hereby authorized to execute the Quitclaim Deed in substantially the form attached hereto as **Exhibit “A”**, with such additions, deletions or modifications as may be necessary in consultation with the Township Attorney.
4. The Mayor is hereby authorized to take such further actions and to execute such additional and ancillary documents or instruments as may be necessary or desirable to effectuate the intent hereof.
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.
6. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.
7. This Resolution shall take effect as provided in law.

RESOLUTION R.197-042018

EXPLANATION: This resolution provides for Senior Resident refund of the construction permit fee, less the DCA fee, posted for a residential construction permit.

WHEREAS, on February 27,2018, a Construction Permit fee, check #10876, permit #2018-0888, was posted in the total amount of \$97.00 by the contractor, Manns Heating & A/C, having offices at 522 Smith Street, Perth Amboy, NJ- 08862 ; and

WHEREAS, the application was submitted for a roof at 14 Dana Circle, by the hired contractor; Manns Heating & A/C, who did not make known to the Construction Code Enforcement Division that the homeowner, Janet Thompson, is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$95.00, derived from the \$97.00 total construction permit fee less the \$2.00 DCA fee, be refunded to the contractor Manns Heating & A/C ; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2018-0888, in the amount of \$95.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$95.00 on construction permit fees posted by Manns Heating & A/C for 14 Dana Circle be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$95.00 from the Refund of Revenue Fund to the Contractor, Manns Heating & A/C, having offices at 522 Smith Street, Perth Amboy, NJ- 08862.

RESOLUTION R.198-042018

EXPLANATION: Resolution Refunding Cash Performance and Performance Bond to Scannell Development Co. Application # Z33-2017 Fed Ex Warehouse in Account # **68391996 (CP171011SC)** and Performance Surety Bond # **106727195**.

WHEREAS, the Township Engineer advises that an inspection has been made of Scannell Development Co.(FedEx Warehouse) Application #Z33-2017, Block:124 Lot: 22.01,23.01 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 **\$11,908.50**, plus accrued interest, if applicable on deposit in account #**68391996(CP171011SC)** with the Township of Edison, principal being Scannell Development Co., having offices at Fed Ex Ground Package, 1000 Fed Ex Drive, Moon Township , PA ,15108 and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the posted Performance Surety Bond **NO.106727195** dated September 28, 2017 by Travelers Casualty and Surety Company of America in the amount of **\$107,176.50**.

BE IT FURTHER RESOLVED that the Director of Finance and the Township Clerk be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$11,908.50** plus accrued interest, if applicable, on deposit in account # **68391996 (CP171011SC)** to the applicant, Scannell Development Co, at Fed Ex Ground Package, 1000 Fed Ex Drive, Moon Township , PA,15108 . And also the Performance Surety Bond **NO.106727195** be returned to the Travelers Casualty and Surety Bond Company, One Tower Square, Hartford, CT 06183

RESOLUTION R.199-042018

EXPLANATION: Resolution refunding Cash Performance & Performance Bond to Fox & Foxx Development, LLC, 35 Dorothy Avenue , Application #P5173, Account #**68391906 (CP170208FO)** and Performance Surety Bond # **NO.1061534**

WHEREAS, Fox & Foxx Development, LLC., 35 Dorothy Avenue , posted a Performance Surety Bond #**1061534** posted on January 10, 2017 of The Lenox Insurance Company Corporation in the amount of **\$18,990.72** posted by Fox & Foxx Development, LLC., having offices at 940 Amboy Avenue, Edison, NJ 08837, to guarantee the installation of improvements for the project 35 Dorothy Avenue located in Block 793 Lots: 21,22,23.

WHEREAS, a Cash Performance check was posted on January 12, 2017 by Check #1590000440, in the amount of \$ **2,110.08**, on deposit in account # **68391906 (CP170208FO)**

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$2,110.08** plus accrued interest, if applicable, on deposit in account #**68391906 (CP170208FC)** to the applicant and the Surety Bond # **1061534** in the amount of **\$18,990.72** of Lenox Insurance Company Corporation to Fox & Foxx Development, LLC. 940 Amboy Avenue, Edison, NJ 08837 and also The Lenox Insurance Company.

RESOLUTION R.200-042018

EXPLANATION: Resolution refunding Cash Performance & Performance Bond to Fox & Foxx Development, LLC, 65 Waltuma Avenue , Application #P5172, Account #**68391907 (CP170208F2)** and Performance Surety Bond # **NO.1061535**

WHEREAS, Fox & Foxx Development, LLC., 35 Dorothy Avenue , posted a Performance Surety Bond #**1061535** posted on January 10, 2017 of The Lenox Insurance Company Corporation in the amount of **\$7,311.60** posted by Fox & Foxx Development, LLC., having offices at 940 Amboy Avenue, Edison, NJ 08837, to guarantee the installation of improvements for the project 65 Waltuma Avenue located in Block 694.T Lots: 1.03&1.04.

WHEREAS, a Cash Performance check was posted on January 12, 2017 by Check #1590000441, in the amount of \$ **812.40**, on deposit in account # **68391907(CP170208F2)**

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$812.40** plus accrued interest, if applicable, on deposit in account #**68391907 (CP170208F2)** to the applicant and the Surety Bond # **1061535** in the amount of **\$7,311.60** of Lenox Insurance Company Corporation to Fox & Foxx Development, LLC. 940 Amboy Avenue, Edison, NJ 08837 and also The Lenox Insurance Company.

RESOLUTION R.201-042018

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
CARLA VALENTE FOR THE ABC PROGRAM**

WHEREAS Carla Valente made payment in the amount of \$300.00.00 for her child Alexander Valente's participation in the ABC Program at Lindeneau Elementary School for the month of April 2018; and

WHEREAS the child was removed in March 2018 from the school and ABC program before he attended.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$300.00 to Carla Valente, 38 Pacific St., Edison, NJ 08817, which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$300.00 are available in Account #8-01-55-0291-000-000.

RESOLUTION R.202-042018

EXPLANATION: A Resolution in support of a 100% renewable energy standard.

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, There is broad scientific consensus that Earth's climate is warming and this warming is being caused by human activities that cause the release of greenhouse gases due to use of fossil fuels; and

WHEREAS, climate change has far reaching impacts, including increasing likelihood of extreme weather events, sea level rise, flooding, drought, and mass extinctions;

WHEREAS, scientist are warning that we are quickly approaching climate tipping points, unpredictable and irreversible changes in our planet’s climate; and

WHEREAS, climate change can have a disproportionate and adverse impact on vulnerable populations especially people living in environmental justice communities, people with low-incomes, children, and seniors; and

WHEREAS, the impact of climate change can cause damage to public parks, roads, municipal properties and equipment; and

WHEREAS, co-pollutants from burning fossil fuels create significant respiratory ailments and deaths; and

WHEREAS, the provision of basic public services such as water treatment and snow removal can increase with climate change; and

WHEREAS, resources for first responders can be strained when climate change related extreme weather events arise; and

WHEREAS, many of the costs associated with the impacts of climate change and/or mitigating those impacts will be borne by state and local governments, putting further strain on public budgets; and

WHEREAS, it is less expensive to plan for and mitigate the impacts of climate change, rather than respond to emergencies when they happen; and

WHEREAS, studies show the feasibility of creating a 100% carbon free energy system, while creating jobs and improving public health.

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 urges the State of New Jersey to establish a renewable portfolio standard (RPS) with a goal of 100% renewable energy and transportation by 2035 and a halt to all new fossil fuel energy projects in the state.
3. The RPS must only contain safe, clean energy such as wind, solar, geothermal and tidal energy sources, not greenhouse gas emitting sources such as burning animal waste, biomass, garbage or false solutions that continue reliance on fossil fuels like pollution trading, carbon capture and sequestration (CCS), gas power plants or pollution trading.

4. Policies must be enacted to support the development of distributed renewable energy, including those that support energy efficiency, retail net metering of electricity, community choice aggregation and community solar.

5. There must be meaningful participation of community members most affected by policy and infrastructure, in the development and implementation of a clean energy plan. Special efforts must be made to engage communities that are underrepresented in the decision-making process such as Indigenous groups, low-income communities, people of color, immigrants, and those disproportionately burdened by pollution.

6. As we transition to a 100% clean energy system, we must transition workers from jobs in the fossil fuel industry to living wage union jobs that support energy efficiency and the development of a renewable energy system. A just transition will include job training programs and relocation assistance that prioritize workers in displaced industries and those living in environmental justice communities.

7. The federal and state governments must provide grants and resources to support municipal, county, state and regional efforts to meet the goal of 100% renewable energy.

8. 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.

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