

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
THURSDAY, NOVEMBER 8, 2018
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 9, 2017 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **REVIEW OF MINUTES:**
 - a. Regular Meeting of October 24, 2018
5. **REPORTS FROM ALL COUNCIL COMMITTEES:**
6. **POINTS OF LIGHT**
7. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution awarding Contract/Purchase Order for Office Furniture for the Township (not to exceed \$300,000) (Resolution R.634-112018)
 - b. Resolution accepting quote and Awarding Contract/Purchase Order for demolition and debris removal at Baseball Field House on Jefferson Blvd. (\$11,150.00) (Resolution R.635-112018)
8. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through November 1, 2018 (Resolution R.622-112018)
 - b. Resolution authorizing refund in the amount of \$152,698.61 for redemption of tax sale certificates (Resolution R.623-112018)
 - c. Resolution authorizing tax over payments totaling, \$3,735.66 (Resolution R.624-112018)
 - d. Resolution requesting Approval of the Best Practices Inventory Questionnaire for Calendar Year 2018 (Resolution R.625-112018)
 - e. Resolution authorizing a Tax Exemption/Refund for a disabled Veteran for 108 Pleasant Avenue, Blk. 694.Q, Lot 18. (Resolution R.626-112018 & R.655-112018)
 - f. Resolutions authorizing the settlement of Tax Appeals (Resolution R.627-112018 through R.633-112018)
 - g. Resolution authorizing refund of Sewer Charge overpayments, totaling \$219.54. (Resolution R.650-112018)
9. **FROM THE DEPARTMENT OF LAW:**

- a. Resolution referring to the Planning Board an investigation as to whether Block 198, Lots 23.E1, 27 and 28 (aka 900, 910 and 920 Route 1) and Block 199, Lot 16.R (aka 121 Main Street) (Ray Catena) satisfies the criteria to be designated “an area in need of redevelopment” (non-condemnation); (Resolution R.642-112018)
 - b. Resolution amending and supplementing R.432-082018 regarding the Township’s consent to the proposed Lower Raritan/Middlesex Quality Management Plan Amendment for the RG Edison Warehouse Redevelopment Project, to include affirmation of conformance with the Township’s Master Plan;(Resolution R.643-112018)
 - c. Resolution authorizing increase in Township Attorney Contract McManimon, Scotland and Baumann, LLC. (Resolution R.644-112018)
 - d. Resolution authorizing increase in Special Labor Counsel Contract Cleary, Giacobbe, Alfieri, Jacobs LLC (Resolution R.645-112018)
 - e. Resolution authorizing increase in Special Labor Counsel Contract Apruzzese, McDermott, Mastro & Murphy, P.C. (resolution R.646-112018)
 - f. Resolution authorizing execution of 150 Whitman Road Developer’s Agreement (with Exhibit A Developer’s Agreement); (Resolution R.647-112018)
 - g. Resolution authorizing release of performance bond for 1963 Oak Tree Road; under Application #Z2-2017. (Resolution R.648-112018)
 - h. Ordinance applying Title 39 to Edison Shopping Center parking lot.(Ordinance O.2032-2018)
10. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
- a. Resolution releasing of Performance Bond and Cash Performance Bond (Resolution R.636-112018)
 - b. Resolution provides for refund of Construction Permit Fee. (Resolution R.637-112018)
11. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
- a. Resolution releasing of Street Opening (Resolution R.638-112018 & R.651-112018 through R.653-112018)
 - b. Resolution awarding Contract/Purchase Order for the purchase of six (6) Henke Snow Plows through the Education al Services commission of New Jersey Cooperative Pricing System (\$74,158.20) (Resolution R.639-112018)
 - c. Resolution authoring the purchase of Rock Salt through the Middlesex County Cooperative Pricing Agreement – State Coop #71-MCCPS (not to exceed \$120,000) (Resolution R.640-112018)
12. **FROM THE DEPARTMENT OF RECREATION:**
- a. Resolution authorizing a reimbursement for the YAP Program. (Resolution R.649-112018.
 - b. Resolution authorizing a reimbursement for the Weight Room Program (Resolution R.654-112018)
13. **FROM THE CHIEF OF POLICE:**

- a. Resolution awarding Contract/Purchase Order for the purchase of Police and Homeland Security Equipment and Supplies (not to exceed \$25,000.00) (Resolution R.641-112018)

14. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**

15. **DISCUSSION ITEMS:**

Council President Patil

- a. None

Councilmember Coyle

- a. None

Councilmember Diehl

- a. Resolution of Recognition – Michael Ussak

Councilmember Gomez

- a. None

Councilmember Joshi

- a. None

Councilmember Lombardi

- a. None

Councilmember Sendelsky

- a. Resolution of Recognition – Matthew Fulham, Edison High School Football Coach

16. **APPROVAL OF MINUTES:**

- a. Regular Meeting of October 24, 2018

17. **COUNCIL PRESIDENT'S REMARKS**

18. **RESOLUTION OF RECOGNITION:**

- a. Resolution R.620-112018 – Matthew Fulham, Edison High School Football Coach
- b. Resolution R.621-112018 –Michael Ussak

19. **NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR
WEDNESDAY, NOVEMBER 28, 2018.**

**O.2032-2018 AN ORDINANCE MAKING THE PROVISIONS OF
SUBTITLE 1 OF TITLE 39 OF THE REVISED STATUTES
OF NEW JERSEY APPLICABLE TO THE EDISON
SHOPPING CENTER LOCATED AT 2303 WOODBRIDGE
AVENUE AND REGULATING THE USE OF SAID
DRIVEWAYS AND PARKING LOTS BY MOTOR
VEHICLES.**

20. **PUBLIC COMMENT ON THE RESOLUTIONS**

21. **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.622-112018 Resolution approving disbursements for the period ending November 1, 2018.

R.623-112018 Resolution authorizing refund in the amount of \$152,698.61 for redemption of tax sale certificates.

R.624-112018 Resolution authorizing refund of tax overpayments, totaling \$3,735.66

R.625-112018 Resolution requesting Approval of the Best Practices Inventory Questionnaire for Calendar Year 2018.

R.626-112018 Resolution authorizing a Tax Exemption/Refund for a disabled Veteran for 108 Pleasant Avenue, Blk. 694.Q, Lot 18, in the amount of \$5,311.16.

R.627-112018 Resolution authorizing the settlement of Tax Appeals filed by Toranco-Oaktree Associates, LLC for the Tax Years 2016, 2017 and 2018, Blk. 555, Lot 4.04.

R.628-112018 Resolution authorizing the settlement of Tax Appeals filed by 3920 Park Avenue Associates, LP for the Tax Years of 2014 and 2015, Blk. 593, Lot 64.

R.629-112018 Resolution authorizing the settlement of Tax Appeals filed by Gerald McNee/Tar Properties, LLC for the Tax Years, 2014, 2015, 2016, 2017 and 2018 for Blk. 201, Lot 17.

R.630-112018 Resolution authorizing the settlement of Tax Appeals filed by BGW, LLC for the Tax Years, 2015, 2016, 2017 and 2018, Blk.672, Lot 26.B and Blk 672, Lot 29.

R.631-112018 Resolution authorizing the settlement of Tax Appeals filed by William and Ann Giampolo for Tax Year 2013, Blk. 557.BB, Lot 7.E.

- R.632-112018 Resolution authorizing the settlement of Tax Appeals filed by Inderpal Kaur Mann for Tax Year 2017 and Grand Castel Real Estate, LLC for tax Year 2018, Blk. 545.T, Lot 29.
- R.633-112018 Resolution authorizing the settlement of Tax Appeals filed by 37 Meridan Holdings, LLC for the Tax Years 2014, 2015, 2016 and 2017, Blk. 546.NN, Lot 20.
- R.634-112018 Resolution awarding Contract/Purchase Order to Canton for Office Furniture for the Township in an amount not to exceed \$300,000.
- R.635-112018 Resolution accepting quote and Awarding Contract/Purchase Order to Atlantic Industries, LLC for demolition and debris removal at Baseball Field House on Jefferson Blvd., in the amount of \$11,150.00.
- R.636-112018 Resolution releasing of Performance Bond and Cash Performance Bond for Application Z40-2015, Blk. 265.BB, Lot 46E.
- R.637-112018 Resolution provides for refund of Construction Permit Fee for Permit #2017-3667 for 45 Brookside Road, in the amount of \$300.00.
- R.638-112018 Resolution releasing of Street Opening for Permit DEV-0028, 16 Bennington Drive, Blk. 490.C Lot 30.A in the amount of \$1,640.00.
- R.639-112018 Resolution awarding Contract/Purchase Order to Trius, Inc. for the purchase of six (6) Henke Snow Plows through the Educational Services commission of New Jersey Cooperative Pricing System in the amount of \$74,158.20.
- R.640-112018 Resolution authoring the purchase of Rock Salt from Morton Salt through the Middlesex County Cooperative Pricing Agreement – State Coop #71-MCCPS in an amount not to exceed \$120,000.
- R.641-112018 Resolution awarding Contract/Purchase Order to Aramsco, Inc. for the purchase of Police and Homeland Security Equipment and Supplies in an amount not to exceed \$25,000.00.
- R.642-112018 Resolution referring to the Planning Board an investigation as to whether Block 198, Lots 23.E1, 27 and 28 (aka 900, 910 and 920 Route 1) and Block 199, Lot 16.R (aka 121 Main Street) (Ray Catena) satisfies the criteria to be designated “an area in need of redevelopment” (non-condemnation);
- R.643-112018 Resolution amending and supplementing R.432-082018 regarding the Township’s consent to the proposed Lower Raritan/Middlesex Quality Management Plan Amendment for the RG Edison Warehouse Redevelopment Project, to include affirmation of conformance with the Township’s Master Plan;
- R.644-112018 Resolution authorizing increase in Township Attorney Contract McManimon, Scotland and Baumann, LLC, in the amount of \$80,000.
- R.645-112018 Resolution authorizing increase in Special Labor Counsel Contract Cleary, Giacobbe, Alfieri, Jacobs LLC, in the amount of \$20,000.
- R.646-112018 Resolution authorizing increase in Special Labor Counsel Contract Apruzzese, McDermott, Mastro & Murphy, P.C., in the amount of \$30,000.
- R.647-112018 Resolution authorizing execution of 150 Whitman Road Developer’s Agreement (with Exhibit A Developer’s Agreement);

- R.648-112018 Resolution authorizing release of performance bond for 1963 Oak Tree Road; under Application #Z2-2017.
- R.649-112018 Resolution authorizing a reimbursement for the YAP Program to Padmaja Marti in the amount of \$190.00.
- R.650-112018 Resolution authorizing refund of Sewer Charge overpayments, totaling \$219.54.
- R.651-112018 Resolution releasing of Street Opening for Permit DEV-0050, 99 Stephenville Parkway, Blk. 557.R, Lot 7 in the amount of \$1,680.00.
- R.652-112018 Resolution releasing of Street Opening for Permit DEV-0003, 62 Preston Street, Blk. 161.T/ Lot 17.H in the amount of \$640.00.
- R.653-112018 Resolution releasing of Street Opening for Permit DEV-0041, 33 Runyon Avenue, Blk. 104L, Lot 27 in the amount of \$2,160.00.
- R.654-112018 Resolution authorizing a reimbursement to Richard Vecchione for Weight Room Program in the amount of \$30.00.
- R.655-112018 Authorizing a tax exemption/refund for a disabled Veteran for 16 Seymour Ave., Blk. 160.M, lot 28 in the amount of \$2,132.38.

22. **ORAL PETITIONS AND REMARKS**

23. **ADJOURNMENT**

ORDINANCE O.2032-2018

EXPLANATION: An Ordinance making the provisions of Subtitle 1 of Title 39 of the Revised Statutes of New Jersey applicable to the Edison Shopping Center located at 2303 Woodbridge Avenue and regulating the use of said driveways and parking lots by motor vehicles.

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

WHEREAS, Edison Shopping Center has filed a written consent in accordance with *N.J.S.A. 39:5A-1* with the Township asking that the provisions of Subtitle 1 of Title 39 of the Revised Statutes of New Jersey be made applicable to the driveways and parking lots at the Edison Shopping Center, located at 2303 Woodbridge Avenue in the Township (the “**Property**”); and

WHEREAS, application of Subtitle 1 of Title 39 of the Revised Statutes of New Jersey would empower the Edison Police Department and other law enforcement agencies to enforce the provisions of this statute including, but not limited to, the following:

- a. Tractor trailers not conducting business at the Edison Shopping Center shall not be permitted to park or idle at the Edison Shopping Center, whether during business hours or otherwise.
- b. Parking of any type of vehicle shall be permitted in designated locations and only for customers, employees and other invitees of the Edison Shopping Center.
- c. Appropriate signs, posts or other necessary materials shall be erected by the owner of the property and shall be paid for by the owner.
- d. All signage shall conform to the current Manual on Uniform Traffic Control Devices pursuant to *N.J.S.A. 39:4-198* and *N.J.S.A. 39:4-183.27*.

WHEREAS, a site plan of the Property, as required by the New Jersey Department of Transportation, has been received by the Township; and

WHEREAS, the Municipal Council of the Township (the “**Municipal Council**”) deems that enforcement of traffic regulations on the aforesaid property will benefit all of the citizens of the Township.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Edison Police Department and other law enforcement agencies having jurisdiction are hereby empowered to enforce the provisions of Subtitle 1 of Title 39 of the Revised Statutes of New Jersey including, but not limited to, the following:

a. Tractor trailers not conducting business at the Edison Shopping Center shall not be permitted to park or idle at the Edison Shopping Center, whether during business hours or otherwise.

b. Parking of any type of vehicle shall be permitted in designated locations and only for customers, employees and other invitees of the Edison Shopping Center.

c. Appropriate signs, posts or other necessary materials shall be erected by the owner of the property and shall be paid for by the owner.

d. All signage shall conform to the current Manual on Uniform Traffic Control Devices pursuant to *N.J.S.A. 39:4-198* and *N.J.S.A. 39:4-183.27*.

3. All Ordinances of the Township of Edison that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

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

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

RESOLUTION R.622-112018

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING NOVEMBER 7, 2018.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through November 7, 2018.

FUND	AMOUNT
Current	\$17,451,481.00
Affordable Housing	2,735.42
Capital	945,184.85
Cash Performance	8,399.55
CDBG	21,337.90
Developers Escrow	2,050.60
Dog (Animal Control)	11,566.52
Federal Forfeited	0.00
Grant Funds	38,164.05
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	1,043,711.112
Sanitation Fund	300,690.98
Self Insurance	0.00
Sewer Utility	319,203.20
Tax Sale Redemption	144,104.96
Tree Fund	0.00
Tree Planting	0.00
Trust	466,792.71
TOTAL	\$20,735,422.86

/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.623-112018

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 **\$152,698.61**.

RESOLUTION R.624-112018

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 **\$3,735.66**.

RESOLUTION R.625-112018

**RESOLUTION REQUESTING APPROVAL OF
THE BEST PRACTICES INVENTORY QUESTIONNAIRE
FOR CALENDAR YEAR 2018**

WHEREAS, Local Finance Notice LFN 2018-26 provides guidance with respect to how the Division of Local Government Services, State of New Jersey will implement the statutory requirement of the Best Practices Questionnaire CY 2018 and the inventory contained within the Best Practices Questionnaire is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

WHEREAS, the Governing Body of the Township of Edison, State of New Jersey acknowledges the Best Practices Inventory Questionnaire CY 2018 and has been apprised of the responses completed by the Chief Financial Officer and authorizes the Certification and prompt submission by the Municipal Clerk and the Chief Financial Officer; and

NOW, THEREFORE, IT IS RESOLVED THAT THE COUNCIL OF THE TOWNSHIP OF EDISON IN THE COUNTY OF MIDDLESEX, NEW JERSEY hereby accepts the Best Practices Questionnaire CY 2018 with the responses completed by the Chief Financial Officer and authorizes a copy to be sent to the Division of Local Government Services within the prescribed time frame dictated by the Division of Local Government Services and the Local Finance Notice LFN 2018-26.

RESOLUTION R.626-112018

Authorizing a tax exemption/refund for a disabled veteran for 108 PLEASANT AVE

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

WHEREAS, **ROBERT JANESKI** is a veteran who has been determined to have suffered a 100% service-related disability; and

WHEREAS, the determination of said disability is retroactive to **March 2nd, 2018**; and

WHEREAS, real estate taxes on this property known as Block **694.Q** Lot **18**, , **108 PLEASANT AVE**, have been billed for **2018**; and

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

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

WHEREAS, pursuant to Township Code Section 5-7(d) the applicant is also due a refund of property taxes paid in prior year(s) from **03/02/2018** to **12/31/2018**; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison that property taxes due on **694.Q** Lot **18**, , assessed to **ROBERT JANESKI**, be cancelled for **\$542.08** of **1st quarter of 2018**, and in full for the **2nd, 3rd, and 4th** quarters of **2018** and also refunded for the municipal property taxes already paid for the time period of from **03/02/2018** thru **12/31/2018** in the amount of **\$5,311.16** and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Township of Edison draw a check to the order of **ROBERT JANESKI** for taxes already paid during the applicable exemption periods set forth above in the total amount of **\$5,311.16**.

RESOLUTION R.627-112018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Toranco-Oaktree Associates, LLC for the Tax Years 2016, 2017 and 2018.

WHEREAS, Toranco-Oaktree Associates, LLC (“Taxpayer”), the owner of property located at 2161 Oak Tree Road, Block: 555, Lot 4.04, on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the years 2016, 2017 and 2018 with the Tax Court of New Jersey under Docket Numbers 009392-2016, 010837-2017 and 011535-2018; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$233,500.00	\$233,500.00	\$233,500.00
Improvements:	<u>\$223,000.00</u>	<u>\$223,000.00</u>	<u>\$223,000.00</u>
Total:	\$456,500.00	\$456,500.00	\$456,500.00

WHEREAS, the proposed settlement provides for an assessment of the 2016 through 2018 Tax Years as follows:

	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$233,500.00	\$233,500.00	\$183,500.00
Improvements:	<u>\$166,500.00</u>	<u>\$116,500.00</u>	<u>\$116,500.00</u>
Total:	\$400,000.00	\$350,000.00	\$300,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayer and Kates Nussman Rapone Ellis Farhi & Earle, LLP, Attorney Trust Account and forwarded to Joel M. Ellis, Esq., Kates Nussman Rapone Ellis Farhi & Earle, LLP, 190 Moore Street Hackensack, New Jersey 07601 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$2,858.90** for 2016, **\$5,491.14** for 2017 and **\$8,250.68** for 2018.

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

1. For the 2016, 2017 and 2018 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$233,500.00	\$233,500.00	\$183,500.00
Improvements:	<u>\$166,500.00</u>	<u>\$116,500.00</u>	<u>\$116,500.00</u>
Total:	\$400,000.00	\$350,000.00	\$300,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for the Tax Appeal filed for the years 2016, 2017 and 2018 under Docket Numbers 009392-2016, 010837-2017 and 011535-2018 by the Taxpayer, owner of the property located at 2161 Oak Tree Road, Block: 555, Lot 4.04;
4. The 2019 assessment shall be set at \$300,000.00; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.628-112018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by 3920 Park Avenue Associates, LP for the Tax Years 2014 and 2015.

WHEREAS, 3920 Park Avenue Associates, LP (“Taxpayer”), the owner of property located at 3920 Park Avenue, Block: 593, Lot 64, on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the years 2014, and 2015 with the Tax Court of New Jersey under Docket Numbers 002667-2014, and 005097-2015; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2014</u>	<u>2015</u>
Land:	\$ 806,400.00	\$ 806,400.00
Improvements:	<u>\$1,293.600.00</u>	<u>\$1,293.600.00</u>
Total:	\$2,100,000.00	\$2,100,000.00

WHEREAS, the proposed settlement provides for an assessment of the 2014 and 2015 Tax Years as follows:

	<u>2014</u>	<u>2015</u>
Land:	\$ 806,400.00	\$ 806,400.00
Improvements:	<u>\$1,193.600.00</u>	<u>\$1,193.600.00</u>
Total:	\$2,000,000.00	\$2,000,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayer and Berger & Bornstein, P.A, Attorney Trust Account and forwarded to Lawrence S. Berger, Esq., Berger & Bornstein, 237 South Street, P.O. Box 2049, Morristown, New Jersey 07962 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$4,726.00** for 2014 and **\$4,864.00** for 2015.

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

1. For the 2014, and 2015 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2014</u>	<u>2015</u>
Land:	\$ 806,400.00	\$ 806,400.00
Improvements:	<u>\$1,193.600.00</u>	<u>\$1,193.600.00</u>
Total:	\$2,000,000.00	\$2,000,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for the Tax Appeal filed for the years 2014 and 2015 under Docket Numbers 002667-2014 and 005097-2015 by the Taxpayer, owner of the property located at 3920 Park Avenue, Block. 593, Lot 64.
4. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.629-112018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Gerald McNee/TAR Properties, LLC for the Tax Years 2014, 2015, 2016, 2017 and 2018.

WHEREAS, Gerald McNee and TAR Properties, LLC (“Taxpayer”), the owner of property located at 1115 United States Route 1, Block 201, Lot 17 on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the years 2014, 2015, 2016, 2017 and 2018 with the Tax Court of New Jersey under Docket Numbers 013917-2014, 009824-2015, 009745-2017 and 010640-2018.

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$452,000.00	\$452,000.00	\$452,000.00	\$ 452,000.00	\$ 452,000.00
Improvements:	<u>\$437,000.00</u>	<u>\$437,000.00</u>	<u>\$437,000.00</u>	<u>\$ 738,800.00</u>	<u>\$ 738,800.00</u>
Total:	\$889,000.00	\$889,000.00	\$889,000.00	\$1,190,800.00	\$1,190,800.00

WHEREAS, the proposed settlement provides for an assessment of the 2014 through 2018 Tax Years as follows:

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$425,000.00	\$425,000.00	\$425,000.00	\$ 425,000.00	\$ 425,000.00
Improvements:	<u>\$190,000.00</u>	<u>\$170,000.00</u>	<u>\$170,000.00</u>	<u>\$ 738,000.00</u>	<u>\$ 738,000.00</u>
Total:	\$615,000.00	\$595,000.00	\$595,000.00	\$1,163,000.00	\$1,163,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the Taxpayer and Convery, Convery & Shihar, P.C, Attorney Trust Account and forwarded to Clark W. Convery, Esq., Convery, Convery & Shihar, P.C., 32 South Main Street, Edison, New Jersey 08837 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$12,949.24 for 2014, \$14,300.16 for 2015, \$14,876.40 for 2016, \$1,433.37 for 2017, and \$1,465.62 for 2018.

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

1. For the 2014, 2015, 2016, 2017 and 2018 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$425,000.00	\$425,000.00	\$425,000.00	\$ 425,000.00	\$ 425,000.00
Improvements:	<u>\$190,000.00</u>	<u>\$170,000.00</u>	<u>\$170,000.00</u>	<u>\$ 738,000.00</u>	<u>\$ 738,000.00</u>
Total:	\$615,000.00	\$595,000.00	\$595,000.00	\$1,163,000.00	\$1,163,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for the Tax Appeal filed for the years 2014 through 2018 under Docket Numbers 013917-2014, 009824-2015, 009745-2017 and 010640-2018 by the Taxpayer, owner of the property located at 1115 United States Route 1, Block: 201, Lot 17.
4. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.630-112018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by BGW, LLC for the tax years 2015, 2016, 2017, and 2018

WHEREAS, BGW, Inc. (“Taxpayer”), the owner of properties located at 125-143 Lincoln Highway, 127 Lincoln Highway and 143 Lincoln Highway in the Township of Edison, County of Middlesex, and known as Block 672, Lot 24.D, Block 672, Lot 26.B and Block 672, Lot 29 respectively on the Township of Edison’s Tax Assessment Maps (“Properties”), filed Tax Appeals for the years, 2015, 2016, 2017 and 2018 with the Tax Court of New Jersey under Docket Numbers 001848-2015, 003819-2016, 004766-2017 and 005421-2018.

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the properties were originally assessed as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$ 574,600.00	\$ 574,600.00	\$ 574,600.00	\$ 574,600.00
Improvements:	<u>\$1,098,100.00</u>	<u>\$1,098,100.00</u>	<u>\$1,098,100.00</u>	<u>\$1,098,100.00</u>
Total:	\$1,672,700.00	\$1,672,700.00	\$1,672,700.00	\$1,672,700.00

WHEREAS, the proposed settlement provides for an assessment of the 2015, 2016, 2017 and 2018 Tax Years as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$ 574,600.00	\$ 574,600.00	\$ 574,600.00	\$574,600.00
Improvements:	<u>\$1,098,100.00</u>	<u>\$ 625,400.00</u>	<u>\$ 425,600.00</u>	<u>\$325,400.00</u>
Total	\$1,672,700.00	\$1,200,000.00	\$1,000,000.00	\$900,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Wilentz, Goldman & Spitzer, P.A. Attorney Trust Fund” and the Taxpayer and forwarded to “Robert L. Selvers, Esq. c/o Wilentz, Goldman & Spitzer, P.A., 90 Woodbridge Center Drive, Suite 900, Box 10, Woodbridge, New Jersey 07095” within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of \$23,918.62 for the 2016 Tax Year Appeal, \$34,684.41 for the 2017 Tax Year Appeal, and \$40,736.74 for the 2018 Tax Year Appeal

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

1. For the 2015, 2016, 2017 and 2018 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Land:	\$ 574,600.00	\$ 574,600.00	\$ 574,600.00	\$574,600.00
Improvements:	<u>\$1,098,100.00</u>	<u>\$ 625,400.00</u>	<u>\$ 425,600.00</u>	<u>\$325,400.00</u>
Total	\$1,672,700.00	\$1,200,000.00	\$1,000,000.00	\$900,000.00

2. Interest is waived on the refund, provided such refund is provided as specified herein.
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Properties for Tax Appeals filed for the years 2015, 2016, 2017 and 2018, under Docket Numbers 001848-2015, 003819-2016, 004766-2017 and 005421-2018 by the Taxpayer, owner of the properties located at 125-143 Lincoln Highway, 127 Lincoln Highway and 143 Lincoln Highway in the Township of Edison, County of Middlesex, and known as Block 672, Lot 24.D, Block 672, Lot 26.B and Block 672, Lot 29.
4. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.631-112018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeal filed by Willaim and Ann Giampolo for the Tax Year 2013.

WHEREAS, William and Ann Giampolo (“Taxpayers”), the owner of property located at 6 Longview Road, Block: 557.BB, Lot 7.E, on the Township of Edison’s Tax Assessment Maps (“Property”), filed a Tax Appeal for the year 2013 with the Tax Court of New Jersey under Docket Number 013251-2013.

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeal and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2013</u>
Land:	\$200,000.00
Improvements:	<u>\$439,300.00</u>
Total:	\$639,300.00

WHEREAS, the proposed settlement provides for an assessment of the 2013 Tax Year as follows:

	<u>2013</u>
Land:	\$200,000.00
Improvements:	<u>\$389,300.00</u>
Total:	\$589,300.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to “William and Ann Giampolo and Spector Foerst & Associates” and forwarded to James M. Foerest, Esq. , Spector Foerst & Associates, 159 Millburn Avenue, Millburn, New Jersey 07041 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$3,432.00.**

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

1. For the 2013 Tax Year, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows

	<u>2013</u>
Land:	\$200,000.00
Improvements:	<u>\$389,300.00</u>
Total:	\$589,300.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for the Tax Appeal filed for the year 2013 under Docket Number 013251-2013 by the Taxpayer, owner of the property located at 6 Longview Road, Block: 557.BB, Lot 7.E.
4. The Freeze Act will apply to the judgment to be issued by the New Jersey Tax Court; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.632-112018

EXPLANATION: This Resolution authorizes the settlement of Tax Appeals filed by Inderpal Kaur Mann for the tax year 2017 and Grand Castle Real Estate, LLC for the tax year 2018.

WHEREAS, Inderpal Kaur Mann and Grand Castle Real Estate, LLC (“Taxpayer”), the owners of property located at 1914 Oak Tree Road in the Township of Edison, County of Middlesex, and known as Block 545.T, Lot 29 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2017 and 2018 with the Tax Court of New Jersey under Docket Numbers 000482-2017 and 010555-2018; and

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2017</u>	<u>2018</u>
Land:	\$101,500.00	\$101,500.00
Improvements:	<u>\$308,600.00</u>	<u>\$308,600.00</u>
Total:	\$410,100.00	\$410,100.00

WHEREAS, the proposed settlement provides for an assessment of the 2017 and 2018 Tax Years as follows:

	<u>2017</u>	<u>2018</u>
Land:	\$101,500.00	\$101,500.00
Improvements:	<u>\$123,500.00</u>	<u>\$123,500.00</u>
Total:	\$225,000.00	\$225,000.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeals set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Sitar Law Offices, L.L.C., Attorney Trust Account” and the Taxpayer and forwarded to “William J. Sitar, Esq., Sitar Law Offices, L.L.C., 1481 Oak Tree Road, Iselin, New Jersey 08830” within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and

WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$9,543.76** for 2017 and **\$9,758.47** for 2018.

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

For the 2017 and 2018 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2017</u>	<u>2018</u>
Land:	\$101,500.00	\$101,500.00
Improvements:	<u>\$123,500.00</u>	<u>\$123,500.00</u>
Total:	\$225,000.00	\$225,000.00

1. Interest is waived on the refund, provided such refund is provided as specified herein; and
2. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the 2017 and 2018 tax years under Docket Numbers 000482-2017 and 010555-2018 by the Taxpayer, owners of the property located at 1914 Oak Tree Road, Block 545.T, Lot 29; and
3. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison.

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing assessment reduction.

RESOLUTION R.633-112018

This Resolution authorizes the settlement of Tax Appeals filed by 37 Meridian Holding, LLC for the tax years 2014, 2015, 2016 and 2017.

WHEREAS, 37 Meridian Holding, LLC. (“Taxpayer”), the owner of property located at 37 Meridian Road in the Township of Edison, County of Middlesex, and known as Block 546.NN, Lot 20 on the Township of Edison’s Tax Assessment Maps (“Property”), filed Tax Appeals for the years 2014, 2015, 2016 and 2017 with the Tax Court of New Jersey under Docket Numbers 013932-2014, 012256-2015, 010423-2016 and 012031-2017.

WHEREAS, the Township Council for the Township of Edison met and discussed the aforesaid tax appeals and the recommendations of its Township Assessor and Tax Appeal Attorney; and

WHEREAS, the Township Assessor has made such an examination of the value and proper assessment of the Property and has obtained such appraisals, analysis, and information with respect to the valuation and assessment of the Property as deemed necessary and appropriate and has been consulted by the attorney for the taxing district with respect to this settlement; and

WHEREAS, an acceptable settlement of the aforesaid tax appeal has been negotiated in which the Taxpayer agrees to settle its appeal for an assessment at the fair assessable value of the Property consistent with the assessing practices generally applicable in the taxing district and as required by law; and

WHEREAS, the property was originally assessed as follows:

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Land:	\$160,000.00	\$160,000.00	\$160,000.00	\$160,000.00
Improvements:	<u>\$455,800.00</u>	<u>\$455,800.00</u>	<u>\$455,800.00</u>	<u>\$455,800.00</u>
Total:	\$615,800.00	\$615,800.00	\$615,800.00	\$615,800.00

WHEREAS, the proposed settlement provides for an assessment of the 2014, 2015, 2016 and 2017 Tax Years as follows:

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Land:	\$160,000.00	\$160,000.00	\$160,000.00	\$160,000.00
Improvements;	<u>\$367,300.00</u>	<u>\$367,300.00</u>	<u>\$367,300.00</u>	<u>\$367,300.00</u>
Total:	\$527,300.00	\$527,300.00	\$527,300.00	\$527,300.00

WHEREAS, the Taxpayer acknowledges that the Township has in part agreed to the settlement in question in consideration for a waiver of the Tax Appeal set forth above; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Edison as a result of the aforesaid specific facts situation; and

WHEREAS, pursuant to the settlement, the Taxpayer will waive prejudgment; and

WHEREAS, if the refund as a result of this settlement set forth herein is to be refunded, the refund is to be made payable to the “Michael A. Vespasiano Attorney, Trust Fund” and the Taxpayer and forwarded to “Michael A. Vespasiano, Esq., Law Offices of Michael A. Vespasiano, 331 Main Street, Chatham, New Jersey 07928 within sixty (60) days of the date of the entry of judgment; and

WHEREAS, the Township Council will make this settlement with the Taxpayer without prejudice to its dealing with any other Edison Township Taxpayer’s request for tax assessment reduction; and
WHEREAS, pursuant to the settlement approved herein, the Taxpayer is entitled to a refund in the amount of **\$4,182.51** for the 2014 Tax Year Appeal, **\$4,304.64** for the 2015 Tax Year Appeal, **\$4,478.10** for the 2016 Tax Year Appeal and **\$4,563.06** for the 2017 Tax Year Appeal.

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

1. For the 2014, 2015, 2016 and 2017 Tax Years, the Township of Edison Tax Assessor is hereby directed to establish the allocation between land and improvement as follows:

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Land:	\$160,000.00	\$160,000.00	\$160,000.00	\$160,000.00
Improvements:	<u>\$367,300.00</u>	<u>\$367,300.00</u>	<u>\$367,300.00</u>	<u>\$367,300.00</u>
Total:	\$527,300.00	\$527,300.00	\$527,300.00	\$527,300.00

2. Interest is waived on the refund, provided such refund is provided as specified herein; and
3. The Tax Appeal Attorney for the Township is hereby authorized to execute a Stipulation of Settlement relative to the Property for Tax Appeals filed for the years, 2014, 2015, 2016 and 2017, under Docket Numbers 013932-2014, 012256-2015, 010423-2016 and 012031-2017 by the Taxpayer, owner of the property located at 37 Meridian Road, Block 546.NN, Lot 20;
4. The Freeze Act is to apply for the 2018 Tax Year; and
5. The Form of Stipulation of Settlement is annexed hereto, having been received by and approved by the Township Council of the Township of Edison

NOW, THEREFORE BE IT RESOLVED, that upon receipt of the appropriate Tax Court Judgment(s), the proper Township Officials are hereby authorized to process credits against open tax balances and issue checks consistent with the amount credited for the foregoing as

RESOLUTION R.634-112018

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO HON COMPANY C/O CANTON
OFFICE FURNITURE FOR THE PURCHASE OF OFFICE FURNITURE FOR THE TOWNSHIP OF
EDISON**

WHEREAS, there is a need to purchase office furniture for various offices within the Township of Edison;
and

WHEREAS, HON COMPANY C/O CANTON OFFICE FURNITURE, 200 Oak Street, Muscatine, IA 52761, has been awarded State Contract Number 81641 under G-2004/Furniture: Office, Lounge; and

WHEREAS, the total amount of this contract, not to exceed \$300,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$300,000.00 and any other necessary documents, with HON COMPANY C/O CANTON OFFICE FURNITURE, 200 Oak Street, Muscatine, IA 52761 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. 81641 under G-2004.

RESOLUION R.635-112018

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO ATLANTIC INDUSTRIES, LLC FOR DEMOLITION AND DEBRIS REMOVAL AT BASEBALL FIELD HOUSE ON JEFFERSON BLVD.

WHEREAS, quotes were solicited by the Township of Edison to provide demolition and removal of debris from baseball field house on Jefferson Blvd.; and

WHEREAS, ATLANTIC INDUSTRIES, LLC, 14 Cranbury Neck Rd., Cranbury, NJ 08512 submitted the lowest quote in the amount of \$11,150.00; and

WHEREAS, for the previous twelve months, the Township expended \$12,800.00 with ATLANTIC INDUSTRIES, LLC, and the current contract/Purchase Order in the amount of \$11,150.00 will make a combined total amount of \$23,950.00 in a twelve month period; and

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

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

WHEREAS, funds in the amount of \$11,150.00 have been certified to be available in Contingent Expense, Account Number 8-01-35-0470-000-020; and

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

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

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

1. Quotes have been reviewed and the quote in the amount \$11,150.00 by ATLANTIC INDUSTRIES, LLC, 14 Cranbury Neck Rd., Cranbury, NJ 08512 has been reviewed and is determined to be the lowest quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount of \$11,150.00 and any other necessary documents, with ATLANTIC INDUSTRIES, LLC, as described herein.
3. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, as described herein.
4. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$11,150.00** are available, for the above contract in Account No. **8-01-35-0470-000-020**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.636-112018

EXPLANATION: Resolution releasing a Performance Bond and refunding a Cash Performance Bond to North Field Construction Company /Bank of America, for the project located at 816 Route One , Edison ,NJ ; Application # Z40-2015; Block 265.BB Lot 46.E; Account #CP161018NO,68391865

WHEREAS, on October 11, 2016 , North Field Construction Company/ Bank Of America, having offices at 16 Ray Place, Fairfield, NJ 07004, posted a Performance Surety Bond #0198492 in the amount of \$44,292.96, to guarantee the installation of improvements for the project at 816 Route One, Block 265.BB Lot 46.E; and

WHEREAS, a Cash Performance check was posted on October 11,2016 by Check #6762302041, in the amount of \$4,921.44, on deposit in account #**CP161018NO, 68391865**; which

WHEREAS a final inspection of the constructed improvements has been made, and the Township Engineer has determined that the project has been satisfactorily completed.

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 **\$4,921.44** plus accrued interest, if applicable, on deposit in account #**CP161018NO** to the applicant, and the Surety Bond #**0198492** in the amount of **\$44,292.96** be refunded to Berkley Insurance Company, having offices at 475 Steamboat Road, Greenwich, CT 06830.

RESOLUTION R.637-112018

EXPLANATION: This resolution provides refund of the construction permit fee, less the DCA fee and plan review fee, posted for a residential construction permit. The work was never performed.

WHEREAS, on August 18, 2017 , a Construction Permit fee, check #4845, permit #2017-3667, was posted in the total amount of \$394.00 by the contractor, C & C Air, having offices at 152 Route 39, Belford, NJ- 07718 ; and

WHEREAS, the application was submitted for a HVAC replacement at 45 Brookside Rd. Edison, NJ 08817, by the hired contractor; C & C Air.

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$300.00, derived from the \$394.00 total construction permit fee less the \$19.00 DCA fee, and less the 20% plan review fee of \$75.00 be refunded to the contractor C & C Air.; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2017-3667, in the amount of \$300.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$300.00 on construction permit fees posted by C & C Air for 45 Brookside Rd. 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 \$300.00 from the Refund of Revenue Fund to the Contractor, C & C Air, having offices at 152 Route 39, Belford, NJ- 07718.

RESOLUTION R.638-112018

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 STO0000304, to the following:

Permit Number: DEV-0028

Opening Location: 16 BENNINGTON DR

Block/Lot: 490.C/30.A

Applicant's Name & Address:

BARRON HOME REMODELING

655 RAHWAY AVE

WOODBIDGE, NJ 07095

Initial Deposit Date: 8/03/2018

Deposit Amount: \$1640.00

Paid by & refunded to:

BARRON HOME REMODELING

655 RAHWAY AVE

WOODBIDGE, NJ 07095

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.639-112018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO TRIUS, INC. FOR THE PURCHASE OF SIX (6) HENKE SNOW PLOWS THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE PRICING SYSTEM FOR THE DEPARTMENT OF PUBLIC WORKS

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

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

WHEREAS, TRIUS, INC., 5049 Industrial Rd., Farmingdale, NJ 07727 has been awarded Contract #ESCNJ 17/18-30 Trucks-26,000 lbs. Gross Vehicle Weight (GVW) or greater under NJ State approved coop #65MCESCCPS; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with TRIUS, INC. for the purchase of six (6) 10’ Henke Snow Plows with accessories at a total price of \$74,158.20 (\$12,359.70 per plow); and

WHEREAS, funds in the amount of \$74,158.20 have been certified to be available in the Acquisition of Public Works Equipment Account, Number C-04-15-1914-310-000; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$74,158.20 and any other necessary documents, with TRIUS, INC., 5049 Industrial Rd., Farmingdale, NJ 07727, the approved Educational Services Commission of New Jersey vendor through this resolution, which shall be subject to all the conditions applicable to the current Educational Services Commission of New Jersey cooperative pricing system contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$74,158.20** are available for the above contract in Account No. **C-04-15-1914-310-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.640-112018

**RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE ROCK SALT FROM
MORTON SALT INCORPORATED THROUGH THE MIDDLESEX COUNTY COOPERATIVE
PRICING AGREEMENT – STATE COOP. #71-MCCPS**

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Middlesex hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, MORTON SALT INCORPORATED, 444 West Lake St., Suite 3000, Chicago, IL 60606 has been awarded Bid No. B-18-560 through State Coop #71-MCCPS, Treated Rock Salt under Resolution Number 18-1505-R; for the period of December 1, 2018 – November 30, 2019; and

WHEREAS, the total amount of this contract, not to exceed \$120,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$120,000.00 and any other necessary documents, with MORTON SALT INCORPORATED, 444 West Lake St., Suite 3000, Chicago, IL 60606 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law, Bid No. B-18-560 through State Coop #71-MCCPS, under Resolution No. 18-1505-R.

RESOLUTION R.641-112018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO ARAMSCO, INC. FOR THE PURCHASE OF POLICE AND HOMELAND SECURITY EQUIPMENT AND SUPPLIES FOR THE DIVISION OF POLICE

WHEREAS, there is a need to purchase Homeland Security equipment and supplies for the Division of Police; and

WHEREAS, ARAMSCO, INC., P.O. Box 29, View Avenue, Thororfare, NJ 08086 has been awarded State Contract Number 81352 under T-0106/Police and Homeland Security Equipment and Supplies; and

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

WHEREAS, the total amount of this contract, not to exceed \$25,000.00 cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$25,000.00 and any other necessary documents, with ARAMSCO, INC., P.O. Box 29, View Avenue, Thororfare, NJ 08086 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. 81352 under T-0106.

RESOLUTION R.642-112018

EXPLANATION: A Resolution authorizing the Township Planning Board to investigate whether the property commonly known on the Township tax maps as Block 198, Lots 23.E1, 27 and 28 (aka 900, 910 and 920 Route 1) and Block 199, Lot 16.R (aka 121 Main Street) 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 Block 198, Lots 23.E1, 27 and 28 (aka 900, 910 and 920 Route 1) and Block 199, Lot 16.R (aka 121 Main Street) 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.

RESOLUTION R.643-112018

EXPLANATION: A Resolution amending and supplementing R.432-082018 regarding the Township's consent to the proposed Lower Raritan/Middlesex Quality Management Plan Amendment for the RG Edison Warehouse Redevelopment Project, as in conformance with the Township's Master Plan.

WHEREAS, the Township of Edison (the "**Township**") desires to provide for the orderly development of wastewater facilities within the Township; and

WHEREAS, the New Jersey Department of Environmental Protection (the "**NJDEP**") requires that proposed wastewater treatment and conveyance facilities and wastewater treatment services areas, as well as related subjects, conform with an approved water quality management plan (the "**WQM**"); and

WHEREAS, the NJDEP established the WQM plan amendment procedure (the "**WQPM**") through the rules at *N.J.A.C. 7:15-3.5* as the method of incorporating unplanned facilities into the WQM plan; and

WHEREAS, the Township's proposed WQM plan amendment was noticed in the New Jersey Register on March 9, 2018 for the RG Edison Warehouse Redevelopment Project, as prepared by Langan Engineering and Environmental Services, Inc.; and

WHEREAS, by way of Resolution R.432-082018, the municipal council of the Township (the "**Municipal Council**") consented to the RG Edison Warehouse Redevelopment Project amendment, publicly noticed on March 9, 2018 and prepared by Langan Engineering and Environmental Services, Inc., for the purpose of its incorporation into the applicable WQM plan(s); and

WHEREAS, in providing for the orderly development of wastewater management facilities within the Township, the Township further desires to provide for the orderly development of wastewater management facilities that are in conformance with the Township's Master Plan; and

WHEREAS, the NJDEP requires that the proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM, as well as the Township's Master Plan; and

WHEREAS, the Municipal Council desires to amend and supplement R.432-082018 by further affirming that the RG Edison Warehouse Redevelopment Project amendment, prepared by Langan Engineering, conforms to the Township's Master Plan, as affirmed by the Township's Planner.

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 Township hereby consents to the RG Edison Warehouse Redevelopment Project amendment, publicly noticed on March 9, 2018 and prepared by Langan Engineering and Environmental Services, Inc., for the purpose of its incorporation into the applicable WQM plan(s), as approved by the Municipal Council by way of Resolution R.432,082018, and desires to amend and supplement same by further affirming that the RG Edison Warehouse Redevelopment Project amendment is in conformance with the Township's Master Plan, as affirmed by the Township's Planner.

Section 3. This consent shall be submitted to the NJDEP in accordance with *N.J.A.C. 7:15-3.5(g)6*.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.644-112018

EXPLANATION: This Resolution increases the budget for legal fees to be paid McManimon, Scotland and Baumann LLC for its professional services as Township Attorney.

WHEREAS, the Municipal Council (“**Municipal Council**”) of the Township of Edison (“**Township**”) has entered a professional services contract (“**Contract**”) with McManimon, Scotland and Baumann LLC (“**Township Attorney**”) to act as the Township Attorney for the term of one (1) year, pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, the Resolution of the Municipal Council approving the Contract established a budget for legal services for calendar year 2018; and

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

WHEREAS, the Municipal Council desires to increase the amount available for legal services by an additional amount not to exceed \$80,000.and authorizes the payment to the Township Attorney for legal services under the Contract.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Budgeted Amount to be paid to the Township Attorney for its legal services pursuant to the terms of the Contract is hereby increased by an amount not to exceed \$80,000. The Chief Financial Officer or its designee is hereby authorized to make payments to the Township Attorney under the Contract up to said amount.
3. The Mayor is hereby authorized to execute any amendments to the Contract to memorialize the increase of the Budgeted Amount, as may be required, in a form acceptable to the Township Conflict Attorney.
4. A certificate showing the availability of funds for the Contract has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts.
5. A copy of this Resolution and the Contract, and any amendments thereto, shall be available for public inspection at the offices of the Township Clerk.
6. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2018 calendar year, funds in the amount of an additional \$80,000. are available in Account No: 8-01-20-0155-001-027 for Township Attorney.

Nick Fargo
Chief Financial Officer

RESOLUTION R.645-112018

EXPLANATION: This Resolution increases the budget for legal fees to be paid Cleary Giacobbe, Alfieri, Jacobs LLC for its professional services as Township Special Labor Counsel.

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

WHEREAS, the Resolution of the Municipal Council approving the Contract established a budget for legal services for calendar year 2018; and

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

WHEREAS, the Municipal Council desires to increase the amount available for legal services by an additional amount not to exceed \$20,000 and authorizes the payment to Special Labor Counsel for legal services under the Contract.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Budgeted Amount to be paid Special Labor Counsel for its legal services pursuant to the terms of the Contract is hereby increased by an amount not to exceed \$20,000. The Chief Financial Officer or its designee is hereby authorized to make payments to Special Labor Counsel under the Contract up to said amount.
3. The Mayor is hereby authorized to execute any amendments to the Contract to memorialize the increase of the Budgeted Amount, as may be required, in a form acceptable to the Township Attorney.
4. A certificate showing the availability of funds for the Contract has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts.
5. A copy of this Resolution and the Contract, and any amendments thereto, shall be available for public inspection at the offices of the Township Clerk.
6. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2018 calendar year, funds in the amount of an additional \$20,000. are available in Account No: 8-01-20-0155-001-027 for for Special Labor Services.

Nick Fargo
Chief Financial Officer

RESOLUTION R.646-112018

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

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

WHEREAS, the Resolution of the Municipal Council approving the Contract established a budget for legal services for calendar year 2018; and

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

WHEREAS, the Municipal Council desires to increase the amount available for legal services by an additional amount not to exceed \$ 30,000. and authorizes the payment to Special Labor Counsel for legal services under the Contract.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Budgeted Amount to be paid Special Labor Counsel for its legal services pursuant to the terms of the Contract is hereby increased by an amount not to exceed \$30,000. The Chief Financial Officer or its designee is hereby authorized to make payments to Special Labor Counsel under the Contract up to said amount.
3. The Mayor is hereby authorized to execute any amendments to the Contract to memorialize the increase of the Budgeted Amount, as may be required, in a form acceptable to the Township Attorney.
4. A certificate showing the availability of funds for the Contract has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts.
5. A copy of this Resolution and the Contract, and any amendments thereto, shall be available for public inspection at the offices of the Township Clerk.
6. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2018 calendar year, funds in the aforementioned amount are available in Account No: 8-01-20-0155-001-027 for for Special Labor Services.

Nick Fargo
Chief Financial Officer

RESOLUTION R.647-112018

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Bridge Edison, LLC with respect to Block 197, Lot 3.B1 on the Edison Township Tax Map, and more commonly known as the property located at 150 Whitman Avenue.

WHEREAS, Block 197, Lot 3.B1, and more commonly known as the property located at 150 Whitman 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 Bridge Edison, LLC ("**Developer**") for preliminary and final major site plan approval, variances and a waiver to construct a 124,560 square foot warehouse at the Property (the "**Project**"); and

WHEREAS, the Board granted final site plan approval for the Project by adoption of a resolution on May 14, 2018 (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.648-112018

EXPLANATION: Resolution releasing performance bond for completed site plan improvements at 1963 Oak Tree Road, under Application #Z2-2017. – CP170829SP

WHEREAS, the Township of Edison (the “Township”) Engineer advises that all inspections have been made of the improvements to the property located at Block 561, Lots 5 through 7 and Block 557-EE, Lot 3.T1 on the tax map of the Township, and more commonly known as 1963 Oak Tree Road, pursuant to under Application #Z2-2017; and

WHEREAS, said inspection indicates all improvements are complete and in accordance with Site Plan approvals and Municipal Standards of the Township; and

WHEREAS, the Township Engineer recommends the release of a performance bond in the amount of \$40,848.00, to Spectrums End, LLC pursuant to the terms and conditions of the Bond Estimate Letter issued by the Township on August 11, 2017, and acceptance of the subject improvements.

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 improvements are hereby complete and satisfactory and the Township Clerk be and is hereby authorized to release the aforementioned performance bond.
2. The Township Clerk shall provide a certified true copy of this resolution is forwarded to the Director of Finance.
3. This resolution shall take effect immediately.

RESOLUTION R.649-112018

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
PADMAJA MARTI FOR THE YAP PROGRAM**

WHEREAS Padmaja Marti made payment in the amount of \$190.00 for her child Sudith Marti's participation in the YAP Program at John Adams Middle School for the month of November, 2018; and

WHEREAS the child was removed from the program before attending in November; and

WHEREAS payment was already made for the month of November, 2018.

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 \$190.00 to Padmaja Marti, 950 New Dover Rd., Edison, NJ, 08820 which represents the amount for the YAP Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$190.00 are available in Account #8-01-55-0291-000-000.

RESOLUTION R.650-112018

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 **\$219.54**, and that this Resolution shall take effect immediately.

RESOLUTION R.651-112018

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 STO0000314, to the following:

Permit Number: DEV-0050

Opening Location: 99 Stephenville Pkwy

Block/Lot: 557.R/7

Applicant's Name & Address:

**SAJI KUTTY
99 STEPHENVILLE PKWY
EDISON, NJ 08820**

Initial Deposit Date: 10/12/2018

Deposit Amount: \$1680.00

Paid by & refunded to:

**SAJI KUTTY
99 STEPHENVILLE PKWY
EDISON, NJ 08820**

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.652-112018

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 STO000287, to the following:

Permit Number: DEV-0003

Opening Location: 62 PRESTON ST

Block/Lot: 161.T/17.H

Applicant's Name & Address:

**CEA Home Improvement
216 Jarvis Rd
Sicklerville, NJ 08081**

Initial Deposit Date: 6/1/2018

Deposit Amount: \$640.00

Paid by & refunded to:

**Asit Govil & Sonal Gupta
3 Venezia Dr
Monroe, NJ 08831**

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.653-112018

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 STO0000286, to the following:

Permit Number: DEV-0041

Opening Location: 33 Runyon Ave

Block/Lot: 104L/27

Applicant's Name & Address:

**Laxmi Devineni
33 Runyon Ave
Edison, NJ 08817**

Initial Deposit Date: 9/19/2018

Deposit Amount: \$2160.00

Paid by & refunded to:

**Laxmi P Devineni
33 Runyon Ave
Edison, NJ 08817**

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.654-112018

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
RICHARD VECCHIONE FOR THE WEIGHT ROOM PROGRAM**

WHEREAS Richard Vecchione made payment in the amount of \$30.00 for the Weight Room Program;
and

WHEREAS the weight room closed after he made payment.

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 \$30.00 to Richard Vecchione, 111 Taft Avenue, Edison, NJ 08817, which represents the amount for the Weight Room Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$30.00 are available in Account #8-01-55-0291-000-000.

RESOLUTION R.655-112018

Authorizing a tax exemption/refund for a disabled veteran for 16 Seymour Ave.

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

WHEREAS, Jonathan Suydam is a veteran who has been determined to have suffered a 100% service-related disability; and

WHEREAS, the determination of said disability is retroactive to June 18, 2018; and

WHEREAS, real estate taxes on this property known as Block 160.M Lot 28, 16 Seymour Ave., have been billed for 2018; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison that property taxes due on Block 160.M Lot 28, assessed to Jonathan Suydam, be cancelled for the fourth quarter of 2018 and also refunded for the municipal property taxes already paid for the time period of from June 18, 2018 thru September 30, 2018 in the amount of **\$2,132.38**.

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Township of Edison draw a check to the order of Jonathan Suydam for taxes already paid during the applicable exemption periods set forth above in the total amount of **\$2,132.38**.

November 12, 2018