AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Wednesday, September 12, 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 May 23, 2018
   b. Worksession Meeting of June 11, 2018
   c. Special Meeting of July 18, 2018

5. ADMINISTRATIVE AGENDA:
   FROM MAYOR THOMAS LANKEY:
   a. Appointment of Bruce Seitz to the Cable Television Advisory Committee.(Resolution R.503-092018)

6. REPORTS FROM ALL COUNCIL COMMITTEES:

7. POINTS OF LIGHT

8. FROM THE BUSINESS ADMINISTRATOR:
   a. Resolution approving the submission of a 2019 New Jersey Department of Transportation – Municipal Aid Grant application and execution of a grant agreement for the Grove Avenue Rehabilitation Project. (Resolution R.468-092018)
   b. Resolution approving the submission of a 2019 New Jersey Department of Transportation – Safe Streets to Transit grant application and execution of a grant agreement for the Central Avenue Pedestrian Safety Improvements project. (Resolution R.469-092018)

9. FROM THE DEPARTMENT OF FINANCE:
   a. Report of Disbursements through September 6, 2018 (Resolution R.460-092018)
   b. Resolution authorizing refund in the amount of $ 225,574.70 for redemption of tax sale certificates (Resolution R.461-092018)
   c. Resolution authorizing refund of tax overpayments, totaling $54,076.31 (Resolution R.462-092018)
   d. Resolution authorizing the refund of sewer charge overpayments totaling $449.95
e. Resolution authorizing a tax exemption/refund for a disabled veteran for 5 Comstock Road (Resolution R.464-092018)

f. Resolution authorizing overpayment refund caused by Successful tax Court Appeal With Freeze Act Provision (R.465-092018)

g. Resolution awarding Contract for RFP 18-05 – Appraisal Services for Tax Court Appeals (Resolution R.466-092018 & R.467-092018)(not to exceed $100,000.00)

10. FROM THE DEPARTMENT OF HEALTH:

a. Resolution accepting a grant in the amount of $5,000.00 from Investors Foundation to support Edison Municipal Alliance Bridges Arts Programming (Resolution R.470-092018)

b. Resolution authorizing the development and submission of Middlesex county Office of Arts & History Grant Application (Resolution R.471-092018)

11. FROM THE DEPARTMENT OF LAW:

a. Resolution authorizing the Mayor to execute an Agreement with The Land Conservancy of New Jersey to serve as Open Space Advisor to the Township (Resolution R.472-092018).

b. Resolution retaining Millennium Strategies for the purpose of grant research, writing and management services, for a one (1) year period. ($63,000.00) (Resolution R.473-092018)

c. This Ordinance authorizes the Mayor, or his authorized designee, to execute the Lease Agreement between the Township and Edison Sheltered Workshop, Inc., allowing for the organization’s use of the leased property. (Ordinance O.2022-2018)

d. An Ordinance amending the Township Code to incorporate revisions to the Township’s Affordable Housing Ordinance regarding inclusionary zoning and affordable housing set aside requirements. (Ordinance O.2023-2018)

e. An Ordinance Amending Township Code Chapter 4-8 And Chapter 4-11 With Respect To The Award Of Public Contracts To Political Contributors (Ordinance O.2020-2018)

f. An Ordinance amending the Township Code Chapter 15-3 “Abandoned and Vacant Properties, Registration and Maintenance,” to incorporate certain revisions to the regulation of abandoned properties within the Township. (Ordinance O.2024-2018)

12. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

a. Resolution refunding Cash Performance for application #Z44-2012 (Resolution R.474-092018)

b. Resolution provides for Senior Resident refund of the construction permit fee (Resolution R.475-092018)

c. Resolutions returning of Tree Maintenance Bonds ( R.476-092018 through R.485-092018)

13. FROM THE DEPARTMENT OF RECREATION:
a. Resolution Authorizing A Reimbursement For The Weight Room Program (R.486-092018)
c. Resolution authorizing a reimbursement for the Pre-School Program (R.489-092018).
d. Resolution authorizing a reimbursement for the Delaware River Tubing Trip (Resolution R.490-092018)

14. FROM THE DEPARTMENT OF PUBLIC WORKS:
   a. Resolution Authorizing The Award Of Contract/Purchase Order To Colgate Paper Stock Company Incorporated For The Recycling Of The Township’s Recyclables (Resolution R.491-092018)
   b. Resolution to release Street Opening Escrow (Resolution R.492-092018)
   c. Resolution provides for a refund of a fee for a Solid Waste Container (Resolution R.493-092018)

15. FROM THE CHIEF OF POLICE:
   a. Resolution Awarding Contract/Purchase Order To Johnston Gp, Inc. / Johnston Communications For The Upgrade And Maintenance Of The Access Control System For The Police Division in the amount of $26,466.41 (Resolution R.494-092018)

16. FROM THE TOWNSHIP CLERK:
   a. Resolution authorizing a fee waiver for St. Helena Church (Resolution R.495-092018)

17. FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:

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

O.2021-2018

AN ORDINANCE AMENDING CHAPTER XI, “GENERAL LICENSING AND BUSINESS REGULATIONS,” SECTION 28 (“TOWING REGULATIONS”) OF THE TOWNSHIP CODE OF GENERAL ORDINANCES.

19. DISCUSSION ITEMS:

Council President Patil
a. None

Councilmember Coyle
a. Presentation on behalf of Beautification Committee.

Councilmember Diehl
a. None

Councilmember Gomez
a. None

Councilmember Joshi
a. None

Councilmember Lombardi
a. None

Councilmember Sendelsky
a. None

20. CLOSED SESSION:
   a. Contract Hearing

21. APPROVAL OF MINUTES:
   a. Regular Meeting of May 23, 2018
   b. Worksession Meeting of June 11, 2018
   c. Special Meeting of July 18, 2018

22. COUNCIL PRESIDENT'S REMARKS
23. **ADMINISTRATIVE AGENDA:**  
FROM MAYOR THOMAS LANKEY:

a. Appointment of Bruce Seitz to the Cable Television Advisory Committee.

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


25. **NEW BUSINESS:**  
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR, WEDNESDAY, SEPTEMBER 26, 2018.

   O.2020-2018 AN ORDINANCE AMENDING TOWNSHIP CODE CHAPTER 4-8 AND CHAPTER 4-11 WITH RESPECT TO THE AWARD OF PUBLIC CONTRACTS TO POLITICAL CONTRIBUTORS.

   O.2022-2018 THIS ORDINANCE AUTHORIZES THE MAYOR, OR HIS AUTHORIZED DESIGNEE, TO EXECUTE THE LEASE AGREEMENT BETWEEN THE TOWNSHIP AND EDISON SHELTERED WORKSHOP, INC., ALLOWING FOR THE ORGANIZATION’S USE OF THE LEASED PROPERTY.

   O.2023-2018 AN ORDINANCE AMENDING THE TOWNSHIP CODE TO
INCORPORATE REVISIONS TO THE TOWNSHIP’S AFFORDABLE HOUSING ORDINANCE REGARDING INCLUSIONARY ZONING AND AFFORDABLE HOUSING SET ASIDE REQUIREMENTS

O.2024-2018 AN ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 15-3 “ABANDONED AND VACANT PROPERTIES, REGISTRATION AND MAINTENANCE,” TO INCORPORATE CERTAIN REVISIONS TO THE REGULATION OF ABANDONED PROPERTIES WITHIN THE TOWNSHIP.

26. PUBLIC COMMENT ON THE RESOLUTIONS

27. 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.460-092018 Resolution approving disbursements for the period ending September 6, 2018.
R.461-092018 Resolution authorizing refund in the amount of $225,574.70 for redemption of tax sale certificates.
R.462-092018 Resolution authorizing refund of tax overpayments, totaling $54,076.31.
R.463-092018 Resolution authorizing the refund of sewer charge overpayments totaling $449.95.
R.464-092018 Resolution authorizing a tax exemption/refund for a disabled veteran for 5 Comstock Road.
R.466-092018 Resolution awarding Contract for RFP 18-05 – Appraisal Services for Tax Court Appeals to Associated Appraisal Group, Inc. in an amount not to exceed $60,000.00.
R.467-092018 Resolution awarding Contract for RFP 18-05 – Appraisal Services for Tax Court Appeals to Integra realty Resources in an amount not to exceed $40,000.00.
R.468-092018 Resolution approving the submission of a 2019 New Jersey Department of Transportation – Municipal Aid grant application and execution of a grant agreement for the Grove Avenue Rehabilitation Project.
R.469-092018 Resolution approving the submission of a 2019 New Jersey Department of Transportation – Safe Streets to Transit grant application and execution of
a grant agreement for the Central Avenue Pedestrian Safety Improvements project.

R.470-092018 Resolution accepting a grant in the amount of $5,000.00 from Investors Foundation to support Edison Municipal Alliance Bridges Arts Programming.

R.471-092018 Resolution authorizing the development and submission of Middlesex County Office of Arts & History Grant Application.

R.472-092018 Resolution authorizing the Mayor to execute an Agreement with The Land Conservancy of New Jersey to serve as Open Space Advisor to the Township.

R.473-092018 Resolution retaining Millennium Strategies for the purpose of grant research, writing and management services, for a one (1) year period, $63,000.

R.474-092018 Resolution refunding Cash Performance for application #Z44-2012 30-31 Bartha Avenue, Acct. #683920963/CP180601AN.

R.475-092018 Resolution provides for Senior Resident refund of the construction permit fee for Permit 2018-2876, 65 Cedar Street in the amount of $300.00.

R.476-092018 Resolution returning of Tree Maintenance Bond to Westbrook Estate LLC, for 111 Oakland Avenue, Blk. 221, Lot 15.01 in the amount of $75.00.

R.477-092018 Resolution returning of Tree Maintenance Bond to Westbrook Estate, LLC for 11 Lily Road, Blk.425, Lot 71.03 in the amount of $3,973.14.

R.478-092018 Resolution returning of Tree Maintenance Bond to Markim Developers, LLC for 10 Stephenville Parkway, Blk. 1018, Lot 11 in the amount of $1,800.00.

R.479-092018 Resolution returning of Tree Maintenance Bond to A. Ferraro Construction, LLC for 3 Fargo Court, Blk. 557, Lot 1 in the amount of $900.00.

R.480-092018 Resolution returning of Tree Maintenance Bond to A. Ferraro Construction, LLC for 13 Frances rod, blk. 1024, Lot 13 in the amount of $525.00.

R.481-092018 Resolution returning of Tree Maintenance Bond to George Appau-Decotemps Construction Co., for 2 Hillsdale Road, Blk. 556.B Lot 46 in the amount of $375.00.

R.482-092018 Resolution returning of Tree Maintenance Bond to A. Ferraro Construction, LLC for 20 Frances Road, Blk. 1020, Lot 12 in the amount of $675.00.

R.483-092018 Resolution returning of Tree Maintenance Bond to Leonard Cursi Construction for 178 Fleet Avenue, Blk. 590.P, Lot 3 in the amount of $675.00.

R.484-092018 Resolution returning of Tree Maintenance Bond to Leonard Cursi Construction for 4 Herron Road, Blk. 1010, Lot 4.B in the amount of $525.00.

R.485-092018 Resolution returning of Tree Maintenance Bond to Leonard Cursi Construction for 180 Fleet Avenue, Blk. 590.P, Lot 6 in the amount of $225.00.
R.486-092018 Resolution Authorizing A Reimbursement For The Weight Room Program to Naresh Chauhan in the amount of $50.00.
R.487-092018 Resolution authorizing a reimbursement for the ABC/Yap Programs to Santosh Mhaske in the amount of $415.00.
R.488-092018 Resolution authorizing a reimbursement for the ABC/Yap Programs to Joelia Ruiz in the amount of $190.00.
R.489-092018 Resolution authorizing a reimbursement for the Pre-School Program to Kelly Walker in the amount of $77.50.
R.490-092018 Resolution authorizing a reimbursement for the Delaware River Tubing Trip to Sravanthi Nagaraju in the amount of $188.00.
R.491-092018 Resolution Authorizing The Award Of Contract/Purchase Order To Colgate Paper Stock Company Incorporated For The Recycling Of The Township’s Recyclables.
R.492-092018 Resolution to release Street Opening Escrow permit #DEV-002 for Blk. 267.B, Lot 2, 5 Sine Road in the amount of $1,688.00.
R.493-092018 Resolution provides for a refund of a fee for a Solid Waste Container to Ashwin Daine in the amount of $60.00.
R.494-092018 Resolution Awarding Contract/Purchase Order to Johnston GP, Inc. / Johnston Communications for the upgrade and maintenance of the Access Control System for the Police Division in the amount of $26,466.41.
R.495-092018 Resolution authorizing a fee waiver for St. Helena Church.
R.496-092018 Resolution authorizing a reimbursement for the YAP Program to Madhuri Karekar in the amount of $190.00.
R.497-092018 Resolution authorizing a reimbursement for the YAP Program to Yun Chen in the amount of $190.00.
R.498-092018 Resolution authorizing a reimbursement for the ABC/YAP Program to Sudesh Amagowni in the amount of $570.00.
R.499-092018 Resolution authorizing a reimbursement for the ABC/YAP Program to Sindu Bhatta in the amount of $285.00.
R.500-092018 Resolution authorizing a reimbursement for the ABC Program to Valerie Jabouin in the amount of $190.00.
R.501-092018 Resolution authorizing a reimbursement for the ABC Program to Parul Singh in the amount of $130.00.
R.502-092018 Resolution authorizing a reimbursement for the ABC Program to Chao Yao in the amount of $380.00.
R.503-092018 This Resolution is for the Municipal Council to provide its consent to the Mayor’s appointment of Bruce Seitz on the Township of Edison Cable Television Advisory Committee.

28. ORAL PETITIONS AND REMARKS

29. ADJOURNMENT
ORDINANCE O.2018-2018

EXPLANATION: An Ordinance adopting the “Exxon Mobil Redevelopment Plan,” for the property identified on the Township Tax Maps as Block 124, Lots 2.E6, 20.01 and 20.02 (in the area of U.S. Route 27 a/k/a Lincoln Highway, near Vineyard Avenue and Interstate 287), referring same to the Planning Board for review and comment, and rescinding the Municipal Council resolution of June 19, 2018 previously referring a redevelopment plan entitled “Exxon Mobil Redevelopment Plan” to the Planning Board for review and comment, pursuant to the 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 “Act”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to make such a determination under the Redevelopment Law, the municipal council (the “Municipal Council”) of the Township of Edison (the “Township”), by way of Resolution R.364-062017, adopted June 14, 2017, authorized and directed the planning board of the Township (the “Planning Board”) to conduct a preliminary investigation of the property identified as 520 U.S. Route 1, and more commonly known as Block 124, Lots 2.E6 and 20.02 (in the area of U.S. Route 27 a/k/a Lincoln Highway, near Vineyard Avenue and Interstate 287) on the Township’s tax maps, and to determine whether those parcels met the criteria for a Non-Condemnation Redevelopment Area, pursuant to Sections 5 and 6 of the Redevelopment Law; and

WHEREAS, on July 17, 2017, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that Block 124, Lots 2.E6 and 20.02 on the Township’s tax maps, qualified as an area in need of redevelopment and recommended that the Municipal Council designate those parcels as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on July 26, 2017, the Municipal Council accepted the recommendation of the Planning Board and adopted a resolution which designated Block 124, Lots 2.E6 and 20.02, on the Township’s tax maps, as an “area in need of redevelopment” in accordance with the Redevelopment Law, without the power of condemnation;

WHEREAS, by way of Resolution R. 189.032018 adopted March 28, 2018, the Municipal Council further authorized and directed the Planning Board to conduct a preliminary investigation of the property identified as 2195 Lincoln Highway Route 27, and more commonly known as Block 124, Lot 20.01 on the Township’s tax maps; and

WHEREAS, on June 4, 2018, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law, at which hearing it determined that the parcel commonly known as Block 124, Lot 20.01 on the Township’s tax maps, qualified as
an area in need of redevelopment and recommended that the Municipal Council designate that parcel as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

WHEREAS, on June 19, 2018, Municipal Council accepted the recommendation of the Planning Board and adopted a resolution which designated Block 124, Lot 20.01 on the Township’s tax maps as an “area in need of redevelopment,” without the power of condemnation in accordance with the Redevelopment Law (together, Block 124, Lots 2.E6, 20.01 and 20.02, the “Redevelopment Area”); and

WHEREAS, on June 19, 2018, the Municipal Council resolved to authorize and direct the Planning Board to review a redevelopment plan for the Redevelopment Area (the “Redevelopment Plan”) and to make recommendations as required by N.J.S.A.40A:12A-7(e);

WHEREAS, the Municipal Council rescinds its June 19, 2018 resolution referring the Redevelopment Plan to the Planning Board for review and comment, and hereby refers the Redevelopment Plan, attached hereto as Exhibit A, to the Planning Board for review and comment; and

WHEREAS, on August 13, 2018, the Planning Board reviewed the Redevelopment Plan and adopted a resolution recommending that the Municipal Council adopt the Redevelopment Plan; and

WHEREAS, upon review of the Planning Board’s recommendation of the Redevelopment Plan, the Municipal Council has determined to adopt the Redevelopment Plan (in the form attached hereto as Exhibit A), to ensure the success of redevelopment within the Redevelopment Area in conformity with the Township’s redevelopment objectives.

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

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

Section 2. The Municipal Council of June 19, 2018, previously referring the Redevelopment Plan to the Planning Board for review and comment, is hereby rescinded in its entirety.

Section 3. Pursuant to N.J.S.A. 40A:12A-7(e), the Municipal Council hereby refers the Redevelopment Plan, as described on Exhibit A attached hereto, to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the aforementioned amendments to the Redevelopment Plan, and submit same to the Municipal Council within 45 days after referral, as required by the Redevelopment Law.
Section 4. Contingent upon the receipt of the Planning Board’s recommendations, the Municipal Council hereby adopts the Redevelopment Plan, attached hereto as Exhibit A, pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 5. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Township Clerk during regular business hours.

Section 6. This Ordinance shall take effect in accordance with all applicable laws.
ORDINANCE O.2021-2018


WHEREAS, the Township of Edison (“Township”) has previously adopted and codified, within the Township’s Code of General Ordinances (the “Code”), Chapter XI, Section 28, which provides for various rules and regulations governing rotational towing within the Township; and

WHEREAS, the municipal council of the Township (“Municipal Council”) has determined it is reasonable and desirable to amend Chapter XI, Section 28 of the Code, to make various changes thereto with respect to the provision of rotational towing services within the Township; and

WHEREAS, to effect the foregoing, the Municipal Council has determined to amend Chapter XI, Section 28 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

“11-28 TOWING REGULATIONS.

11-28.1 Purpose

This section shall set forth the non-discriminatory and non-exclusionary regulations governing towing agencies engaged in the business of removing and storing motor vehicles at the request of any Township of Edison employee in the performance of his/her duties. This section shall apply to any property, whether public or private. This section is in accordance and as authorized by N.J.S.A. 40:48-2.49 entitled "Regulation of operators engaged in removal of motor vehicles." This section shall regulate the following, but not be limited to:

a. A schedule of fees or other charges which a towing agency may charge vehicle owners for towing services, storage services, recovery services, clean up services, [administrative services,] and any other towing related services as required/requested by the Township of Edison, or any combination thereof;

b. Minimum standards of a towing agency performance, including but not limited to standards concerning the adequacy of equipment and facilities, availability and response time, and the security of the vehicles towed or stored;

c. The designation of the Municipal Officers and divisions to enforce the provisions of this section in accordance with due process of law;
The requirement that such regulations and fee schedules of individual towing agencies shall be made available to the public during normal business hours of the Municipality and the towing agency.

e. Exception: This section shall not apply to the following:
   1. Towing services requested by the Division of Police when such services shall result in a Police Impoundment;
   2. Towing services rendered to any vehicle owned, leased, or operated by the Township of Edison.

f. This section shall only apply to towers acting in the capacity of towing agencies for the Township of Edison.

(1999 Code § 5.72.010)

11-28.2 Definitions.

As used in this section:

Business Administrator means the Business Administrator of the Township of Edison, or his/her designee.

Chief of Police shall mean the Chief of the Township of Edison's Division of Police, or his/her designee.

Communications personnel means any on-duty 9-1-1 Telecommunicator/Dispatcher of the Edison Division of Police.

Cruising means the driving of an empty tow truck to and fro along a public street at a slow rate of speed for the obvious purpose of soliciting tows; and/or the unsolicited response to any Police incident of a motor vehicle accident or disabled vehicle.

Director of Public Safety means the Director of the Department of Public Safety of the Township of Edison as defined by the Municipal Code of the Township of Edison, or his/her designee.

Garage keeper's legal liability means the protection of customers' vehicles and property under various conditions pertaining to specific garage functions.

Heavy-duty means a gross weight of at least thirty-two thousand (32,000) pounds

Medium duty means a gross weight of over ten-thousand (10,000) pounds but less than thirty-two thousand (32,000) pounds.

Light-duty means a gross weight up to ten-thousand (10,000) pounds

[Light-medium duty means a gross weight of less than thirty-two thousand (32,000) pounds.]
Persons means and includes a firm, co-partnership, association and corporation, and the singular or plural and the masculine, feminine or neuter thereof, unless the contrary is clearly expressed.

Police Officer means any on-duty sworn officer of the Edison Division of Police.

Towing agency means any person or entity owning or operating a tow truck service for compensation.

Tow truck means a motor vehicle equipped with a boom or booms, winches, slings, tilt beds or similar equipment designed for the towing or recovery of vehicles and other objects.

Waiting time means the additional time a tow operator spends at the scene other than the time required for the actual tow and/or recovery. Examples of waiting time may include but are not limited to EMS services which must be performed and/or police investigations.

Winching means the process of moving a motor vehicle by the use of additional chains, nylon slings, snatch blocks and/or additional lengths of winch cable from a position that is not on a roadway or not in a position for direct hook up by conventional means for loading onto a tow vehicle. Winching is not pulling a vehicle onto a tilt bed or carrier, nor lifting a motor vehicle with a conventional tow sling. Winching fees shall be billed per quarter hour per man.

Winching means the process of moving a motor vehicle by the use of the cable from a position that is not accessible for direct hook up by conventional means for loading onto a tow vehicle. Winching is not pulling a vehicle onto a tilt bed or carrier, nor lifting a motor vehicle with a conventional tow sling.

(1999 Code § 5.72.020)

11-28.3 Administering and Enforcing Agencies.

a. General jurisdiction and responsibility shall be the Chief of Police or his/her designee. The Chief of Police shall have jurisdiction and responsibility of:

[a. General jurisdiction and responsibility shall be the Director of Public Safety. The Director of Public Safety shall have jurisdiction and responsibility of:]

1. Inspection of tow trucks operating under this section;

2. Examination, investigation and recommendation of approval or rejection of applications for tow trucks requesting to operate under this section;

3. Enforcement of the provisions of this section.

b. General Jurisdiction and Responsibility of Collector of Revenue. The Municipal Clerk shall have jurisdiction and responsibility of issuing of applications, finger print forms and collection of fees. The Business Administrator shall issue such license approval after the
satisfactory compliance by the applicant with the requirements of this section, and the recommendation of approval by the Chief of Police.

[b. General Jurisdiction and Responsibility of Collector of Revenue. The Collector of Revenue shall have jurisdiction and responsibility of issuance of licenses, collection of fees, and certification of insurance compliance. The Collector of Revenue shall issue such license after the satisfactory compliance by the applicant with the requirements of this section, and the recommendation of approval by the Director of Public Safety.

(1999 Code § 5.72.030)]

11-28.4 Tow Truck License Required; Expiration; Fee; Application Amendments.

a. No towing agency or person, while acting as an official towing agency for the Township of Edison shall operate a tow truck upon or along any property in the Township of Edison, until the owner thereof shall obtain a license therefor.

b. Nothing in this subsection or other subsections of this section shall be construed to require the licensing of any tow truck to perform any services other than those governed by this section.

c. All towing agency and tow truck licenses shall be issued by the Collector of Revenue and shall be issued to expire June 30th, next exceeding the date of issuance unless it is sooner suspended or revoked by the Business Administrator.

d. The annual fee to be paid for such license shall be the sum of six hundred ($600.00) dollars for up to the first two (2) light-medium duty tow trucks, or one (1) heavy-duty tow truck, per agency, as applicable, and an additional one hundred fifty ($150.00) dollars per light-medium duty tow truck, and/or two hundred fifty ($250.00) dollars per heavy-duty tow truck, thereafter, as applicable. No portion of said fee shall be prorated for any portion of a year.

[e. Licenses shall be for a three-year period commencing on July 1 and terminating three (3) years thereafter.

f. During the term of any license, a licensee shall file an update for any changes in vehicles and or employees. The amended application shall include a copy of the current license, and detail the reason for the amendment. Changes in vehicles shall require an application amendment fee of forty five (45.00) dollars [twenty-five ($25.00) dollars]. Changes in employee-drivers shall require an application amendment fee of twenty-five ($25.00) dollars per employee-driver added. The licensee shall not permit a new vehicle or new employee to operate any tows authorized under this license until the amendment has been filed and approved. Changes in towing agency ownership shall be ineligible for amendment applications.

(1999 Code § 5.72.040)
11-28.5 Applications for Licenses.

a. Applications for tow truck licenses shall be filed with the Township Clerk [Director of Public Safety] not later than April 1 of the pre-licensure year

b. Applications for licenses for tow trucks shall be made by the owner, lessee or bailee thereof, upon forms to be furnished by the Township Clerk [Director of Public Safety], and such application shall contain the name, business address, and telephone number of the applicant. If the application is made on behalf of a corporation, it shall state the name and address of the officers and directors thereof and the name and address of its registered agent, including a listing of the names and addresses of every stockholder holding more than ten (10%) percent of the stock of the corporation; the application shall have affixed thereto an affidavit to be sworn to by the applicant.

c. Each application shall also contain the following information:

   1. The year, make, type and model number of each tow truck used in said business, its vehicle identification number (VIN), New Jersey registration number (license plate) and the name and address of the registered owner and operator;

   2. The address(es) where the tow truck(s) is/are regularly garaged.

   3. The names, addresses and New Jersey driver license numbers of all employee-drivers of the vehicles identified. An abstract of each employee-driver's New Jersey driver's license, not more than sixty (60) days old at time of submission;

   4. [Certification that] each employee operating under this license is able to read and write the English language and is a resident of the United States;

   5. [Certification that] each employee operating under this license is not addicted to the use of narcotics or intoxicating liquors;

   6. Any and all convictions which the owner, agent or any employee-driver thereof has been convicted and, if the corporation, or any officer thereof has been convicted, stating the name, if any, and location of the courts and the dates on which such convictions were had and the penalties imposed therefor.

   7. Any and all successful civil complaints filed against the owner, agent thereof, the corporation, or any officer thereof for deceptive business practices, including but not limited to insurance fraud, price gouging, or other similar complaint or offense. This shall not be construed to be limited to substantiated complaints with regard to towing services.

   8. An original Letter of Authorization for the Edison Police Department to conduct a full and complete criminal and driver license background check on each owner, agent thereof, and employee-driver. The owner(s) and the corporation shall also include an Authorization for the Edison Police Department to an investigation into the insurance coverage for the corporation, as it applies to this license. Each employee must execute his own Letter of Authorization. Blanket authorizations are not permitted.
9. The experience of the owner, the employee-drivers, and the corporation in the towing of vehicles for hire; including all relevant employment history.

10. The location, size and security features of the storage lot or space in which towed vehicles will be stored, including the number of vehicle spaces available;

11. The name and address of the operator's insurance carrier(s) and the policy numbers of all insurance policies issued for the business, the business premises and the vehicles identified in the application.

12. A certification signed by the owner (or agent thereof) that a document detailing the towing and storage services and fees supplied under this license will be posted in the public area of the towing agency's premises in plain view for the duration of this license, in compliance with this section.

13. A certification granting permission to the Chief of Police or his/her designee to conduct inspections of the tow trucks and towing agency for the purpose of determining compliance with this section.

14. Any other information as the Township of Edison shall deem appropriate and necessary to properly evaluate the towing agency for this license.


11-28.6 Investigation of Applicants; Administering Official Authorized to Grant or Refuse Licenses.

a. The Chief of Police or his/her designee shall conduct or cause to be conducted such investigation as he/she deems necessary to determine the truth and accuracy of the information contained in the application, and the applicant's compliance with this section. This investigation may include a full and complete criminal and driver license background check on each owner, agent thereof, and employee-driver. At the discretion of the Chief of Police or his/her designee, applicants and/or their employee-drivers may be required to submit fingerprints to complete the background investigation(s). Any fees relating to the fingerprint checks shall be borne by the applicant.

   b. The applicant, or an employee-driver, may be refused if such investigation reveals any of the following, or if the applicant or any employee refuses to permit such investigation:

      1. Conviction of any crime of the fourth degree or higher, possession or use of a controlled dangerous substance; and other crimes against the person or crimes involving moral turpitude. Any plea arrangement which results in Pre-Trial Intervention, Conditional Discharge, or any other similar diversionary trial settlement may be viewed as a conviction to the original charge/offense.

      2. Conviction of operating a motor vehicle under the influence of an intoxicating liquor or drug (N.J.S.A. 39:4-50); leaving the scene of an accident (N.J.S.A. 39:4-129); failure to report an accident (N.J.S.A. 39:4-130); reckless driving (N.J.S.A. 39:4-96) and possession of a controlled dangerous substance in an automobile (N.J.S.A. 39:4-49.1).
3. Successful civil complaints filed against the owner, agent thereof, the corporation, or any officer thereof for deceptive business practices, including but not limited to insurance fraud, price gouging, or other similar complaint or offense.

c. Upon completion of the background checks, the Chief of Police [Director of Public Safety] shall render a decision on the applicant.

1. A decision to grant the license shall be forwarded, in writing, to the Business Administrator [Collector of Revenue for license issuance].

2. A decision to refuse the license shall be forwarded, in writing, to the applicant and Business Administrator. The Chief of Police [Director of Public Safety] shall document the reasons thereof. The denial may be as narrow as to restrict any one employee from performing tows under this license, to a total denial for the entire applicant.

d. Only one (1) approval shall be granted to a towing agency or its affiliate. For the purpose of this section, "affiliate" shall mean any towing agency in which there is a common ownership of more than ten (10%) percent or any common officer or director.


11-28.7 Appeal of Application Denial.

a. Upon receipt of a denial of a license, or partial denial, the applicant may file an appeal with the Business Administrator. The appeal must be filed within fourteen (14) days of receipt of the decision. Such appeal shall be submitted in writing and shall document the applicant's position for approval of the license.

b. Upon receipt of the appeal, the Business Administrator shall review all documentation relating to this application. Such review may include interviews with the interested parties. The Business Administrator shall issue a final decision within thirty (30) business days of receipt of the appeal. The decision of the Business Administrator is final and binding. No further appeals are permitted.

(1999 Code § 5.72.070)

11-28.8 Inspection of Tow Trucks and Facilities.

a. No tow truck or towing agency covered by the terms of this section shall be licensed until it has been thoroughly and carefully inspected and examined by the Chief of Police, or someone delegated by him or her to conduct such examination, and found to be in compliance with NJ Title 39 statues and in a sanitary condition. Any tow truck or towing agency found to be in violation of Title 39 or unsanitary shall not be licensed. The Chief of Police is authorized and empowered to establish reasonable rules and regulations for the inspection of tow trucks and towing agencies.

[a. No tow truck or towing agency covered by the terms of this section shall be licensed until it has been thoroughly and carefully inspected and examined by the Chief of Police or his/her designee, or someone delegated by him or her to conduct such examination, and found to
be in a thoroughly safe and sanitary condition. Any tow truck or towing agency found to be unsafe shall not be licensed. The Director of Public Safety is authorized and empowered to establish reasonable rules and regulations for the inspection of tow trucks and towing agencies for the construction and condition for the safety of persons and property.]

b. The Police Department shall maintain due vigilance over all tow trucks and towing agencies licensed under this section and see that they are kept in a condition of safety and sanitation, and to this end shall have the right, at any and all times, to inspect any and all such licensed vehicles and storage facilities and shall maintain a record in writing of the report of all such inspections.


11-28.9 Issuance of License; Posting Required.

a. The Edison Police Department, upon approval of the tow truck license, shall issue a Certificate of License to the applicant. The licensee shall prominently display the Certificate of License in the public portion of his/her business premises. The license shall remain displayed for the entire duration of the license term. Replacement Certificate of License shall be provided upon written application of the licensee and payment of twenty-five ($25.00) dollars.

b. The Township of Edison shall provide one (1) vehicle decal for each tow truck authorized to operate under the applicant's license. The licensee shall prominently display the vehicle decal on each authorized tow truck in a location to be determined by the Director of Public Safety. The decal shall remain displayed for the entire duration of the license term. Replacement vehicle decals shall be provided upon written application of the licensee and payment of twenty-five ($25.00) dollars for each decal.

[c. The Township of Edison shall provide one (1) photo identification card for each operator, owner, and employee-driver authorized to operate under the applicant's license. The licensee and his employees shall prominently display, on their person, the photo identification card whenever they are performing tows under this license. Replacement photo identification cards shall be provided upon written application of the licensee and payment of thirty-five ($35.00) dollars for each card.]

c. Any license issued under this section is nontransferable. Changes in ownership shall require an entire new application filing.

d. The towing agency must provide to all vehicle owners at the scene of an accident an rate card with information on claiming a vehicle, the name of the business, its owner, tower's license number, the business location, telephone numbers and hours of operation to the public. The card shall also state the rates for towing services. The towing agency may use a standard business card with the required additional information.

(1999 Code § 5.72.090)

11-28.10 Insurance Requirements; Indemnity.

a. Each towing agency shall maintain, during the term of their license, the following minimum insurance coverage, naming the Township of Edison as an additional insured:
1. Automobile Liability Insurance, in an amount not less than one million ($1,000,000.00) dollars combined single limit, covering each vehicle utilized by the operator in his business.

2. Workmen's Compensation Insurance, as required by the State of New Jersey, including employer's liability coverage with a limit of at least one hundred thousand ($100,000.00) dollars.

3. Comprehensive, General Liability Insurance, in an amount of not less than one million ($1,000,000.00) dollars for personal injuries, per occurrence, and one million ($1,000,000.00) dollars for property damage, per occurrence, including premises operations and products/completed operations.

4. Garage Keepers and Garage Liability Insurance, in an amount not less than one hundred thousand ($100,000.00) dollars.

5. All policies of insurance shall contain an endorsement providing for collision coverage for vehicles in tow.

b. All policies of insurance shall contain an endorsement requiring that at least fifteen (15) days’ notice shall be given to the Township of Edison [Collector of Revenue] in the event of any material change in or cancellation of the policy.

c. The operator shall indemnify and hold harmless the Township of Edison from any claims for injury or property damage arising out of, or in any way related to, the operation of any tow truck, towing service or storage yard, pursuant to this section. The towing agency shall further defend the Township of Edison at the operator's expense, in connection with any claim, suit or action, brought against the Township of Edison, and arising out of the operation of any tow truck, towing service or towing yard, pursuant to this section.

d. All policies of insurance shall be issued by insurance companies authorized to do business in the State of New Jersey, and shall remain in full force and effect during the entire term of the license. The Township of Edison shall be named as additional insured on all policies of liability insurance.

e. No license shall be issued until an approved applicant files insurance certificates verifying all of the above requirements. The Insurance Certificates shall be filed with the Collector of Revenue.

f. Any licensee who has a lapse in any insurance policy, for any reason whatsoever, shall have his/her license immediately suspended. Upon notice of lapse of coverage, the Collector of Revenue shall immediately serve notice of suspension upon the licensee, with copy of said notice provided to the Business Administrator and the Director of Public Safety. The suspension shall remain in effect until such time as the insurance is restored.

(1999 Code § 5.72.100)
11-28.11 Resister of Vehicles.

a. The Police Department shall keep a register of each tow truck licensed under this section, together with the license number and description, make and dimensions of such vehicles and the date and a complete record of inspections made thereof.

b. The Police Department shall keep a register of each towing agency licensed under this section, together with photographs of the vehicle storage area and the customer waiting room, and the date and a complete record of inspections made thereof.

(1999 Code § 5.72.110)

11-28.12 Revocation and Suspension of Licenses Authorized.

Licenses granted under the preceding subsections of this section may be revoked or suspended at any time by the Business Administrator, if a tow truck or storage facility shall not be in a safe and sanitary condition and kept in conformity with the terms of this section, or for the violation of any of the provisions of this section or any of the rules and regulations made by the Director of Public Safety. (1999 Code § 5.72.120)

11-28.13 Duties of the Towing Agency.

a. The towing agency must operate a legitimate towing agency business premises within the Township of Edison, or within five (5) miles of [the border of the Township of Edison.]

Edison Township Municipal Complex located at 100 Municipal Boulevard, Edison, New Jersey. The towing agency must respond to a call for service from the Edison Police Department within the following time parameters:

1. 6:00 a.m. to 8:00 p.m. - light-medium duty tow trucks must be on location within twenty (20) minutes from receipt of the call and heavy-duty tow trucks must be on location within thirty (30) minutes from receipt of the call. This requirement applies every day of the year, regardless of holidays, unless such response time is prevented by extraordinary conditions of weather or other extraordinary circumstances resulting in obstruction of general access to the scene.

2. 8:01 p.m. to 5:59 a.m. - light-medium duty tow trucks must be on location within twenty-five (25) minutes from receipt of the call and heavy-duty tow trucks must be on location within thirty-five (35) minutes from receipt of the call. This requirement applies every day of the year, regardless of holidays, unless such response time is prevented by extraordinary conditions of weather or other extraordinary circumstances resulting in obstruction of general access to the scene.

[1. 6:00 a.m. to 8:00 p.m. – must be on location within twenty (20) minutes from receipt of the call. This requirement applies every day of the year, regardless of holidays, traffic, weather or any other issue.

2. 8:01 p.m. to 5:59 a.m. – must be on location within twenty-five (25) minutes from receipt of the call. This requirement applies every day of the year, regardless of holidays,
unless such response time is prevented by extraordinary conditions of weather or other extraordinary circumstances resulting in obstruction of general access to the scene.]

b. In the event that towing agency fails to arrive within the prescribed time from receipt of a call from the Edison Police Department, the Edison Police Department shall be permitted to secure the services of an alternate towing agency. In the event of said circumstance, the first called towing agency shall not be entitled to any fee for their late response or costs and expenses incurred as a result thereof.

c. In the event that a towing agency is called by the Edison Police Department, and prior to the towing agency actually hooking a vehicle or providing any type of service at scene to which it was called, the Edison Police Department shall be permitted to change the towing agency due to findings and/or procedure in a police investigation. The first called towing agency shall be placed as next to be called on the towing list. The first called towing agency shall not be entitled to any fee for their response or costs and expenses incurred as a result thereof.

(1999 Code § 5.72.130)


a. Each towing agency shall maintain storage facilities, conforming to the following standards and requirements:

1. Towing agency shall have sufficient space to accommodate at least fifteen (15) vehicles, adequately safe-guarded against vandalism and theft, in which to hold towed vehicles of absent drivers or owners, until such time as said vehicles are claimed or are disposed of in accordance with the law.

2. All storage facilities shall be owned, operated and/or under the control of the operator, and shall be located within the Township of Edison, or no more than five (5) miles from the Edison Township Municipal Complex located at 100 Municipal Boulevard, Edison, New Jersey.

3. No towed vehicle may be stored upon a public street, sidewalk, public right-of-way or alley. All towed vehicles must be stored by the towing agency within the storage area as described within this section.

4. Customer service waiting area shall be neat and clean. A restroom facility shall be available during normal business hours.

(1999 Code § 5.72.140)

11-28.15 Equipment.

a. Tow trucks shall be equipped and of sufficient size, weight and configuration to safely tow all makes of domestic and foreign automobiles, light duty trucks and vans.

b. Tow trucks shall be equipped with sufficient emergency warning lights.
c. The name, address and telephone number of the operator shall be permanently affixed to the left and right sides of each tow truck.

d. All operators on the rotating list shall provide and maintain the following minimum equipment: two (2) light duty towing vehicles (one (1) of which may be a flat-bed, roll back vehicle), with a gross vehicle weight rating (GVWR) of eleven thousand (11,000) pounds, and a lifting device with a minimum capacity of four (4) tons.

e. Tow trucks will be equipped with tow sling type bars, with rubber straps, and wheel lifts, with safety straps for lifting, to prevent damage to towed vehicles, and steering locks for towing vehicles from the rear.

f. Jumper cables and/or Jump Box

g. A minimum of one (1) five (5) pound CO2 dry powder fire extinguisher.

h. One (1) reflective traffic safety vest for each employee at an incident location.

i. A minimum of one (1) broom, one (1) shovel and one (1) debris/refuse container.

j. A wireless telephone for communication with the Police Communications Center.

k. A minimum of five (5) gallons of Absorbent material on each towing vehicle at all times.

l. Jack (for changing tires)

m. A minimum of one (1) Tire Chock

n. Lock out Kit (for making entry into locked vehicles).

o. A minimum of two (2) Snatch Blocks

p. Towing lights

q. A minimum of two (2) Tire Skates

r. Ratchet Straps for proper tie down (flatbed/rollback)


t. Assorted tools, hand or power for road service, changing tires etc.

(1999 Code § 5.72.150)

11-28.16 Minimum Operation Standards.

a. Towing agency shall, at all times, employ a sufficient number of employees to comply with the minimum operational requirements.
b. All drivers of the operator shall be not less than the age of eighteen (18) years and must have a valid, current New Jersey State Driver's License and shall be in good health and of high moral character.

c. All employees shall be clean, neat, and make a good appearance. Smoking shall not be permitted in any tow truck or in the customer service area of any storage facility without the permission of the customer.

d. The towing agency shall be responsible for the towing of vehicles, from all streets, alleys, public easements, thoroughfares, public, quasi-public places, and private property, including parks, playgrounds, including rivers, lakes and streams, anywhere within the Township of Edison.

e. In all underwater recoveries of a non-emergent nature (threats to life or public safety), it shall be the responsibility of the towing agency to be either certified or assisted by a New Jersey certified underwater specialist for the proper towing of such vehicles.

f. The operator shall be responsible to clean up all broken glass and debris at the scene of accidents and remove same from the scene. All vehicles must be equipped with a broom, shovel and container to remove debris. Clean up shall be performed in accordance with N.J.S.A. 39:4-56.8. "Definitions: removal of disabled motor vehicles by towing services under contract; failure to remove debris surrounding vehicle; penalty."

g. The towing agency is not required to remove any debris or material which may be hazardous, such as oil, gasoline, kerosene, or other petroleum or chemical products, or debris material which the service is not equipped to remove. When the towing agency is equipped to remove such debris, it shall dispose of said debris in full accordance with all applicable State and Federal Statutes. The towing agency shall be entitled to an additional hazardous debris disposal fee when this service is properly performed.

h. The towing agency shall verbally detail the anticipated expense to the vehicle operator prior to rendering any service. This regulation may be waived when the vehicle operator is unable to speak with the towing agency employee at the scene due to a medical condition, or when the operator has been removed from the scene prior to the towing agency's arrival.

1. When the towing agency was unable to provide this notification at the scene, they must attempt to contact the vehicle owner, operator or leasee by telephone within twenty-four (24) hours of the tow. If the towing agency encounters an answering machine, a detailed message left on the machine shall constitute compliance.

2. In the event telephone contact is unsuccessful, the towing agency shall send written notification of the towing and storage charges and information on how to obtain release of the vehicle to the registered owner. This notification shall be sent by Certified Mail with Return Receipt Requested. A copy of the notice shall be sent via regular mail to the Edison Police Department Traffic Bureau.

3. Failure of the towing agency to comply with this provision shall restrict their storage fees to the first twenty-four (24) hours.
i. Towing agency must ensure that all its authorized agents agree to follow the instruction and/or order of the Police Officer at the towing scene. (1999 Code § 5.72.160)

11-28.17 Rotating Lists; Districts; Specific Needs.

a. The Chief of Police [Director of Public Safety] shall create towing districts within the Township. The Chief of Police or his/her designee shall have sole discretion as to district boundaries. Changes to boundary lines shall only be permitted at the commencement of the license year.

b. The Chief of Police [Director of Public Safety] is authorized to create lists for specific towing needs such as heavy duty tow trucks.

c. The Chief of Police [Director of Public Safety] shall create rotating towing lists to be utilized by the Communications Personnel. The list shall be created by district, by specific need at the commencement of each license year. Communications Personnel shall always use the appropriate rotation list when a tow truck is requested under this section. Communications Personnel shall record each tow by date, time, location and towing agency.

1. Any towing agency that fails to/or is unable to respond shall be recorded as non-respondent and the Communications Personnel shall advance to the next towing agency on the list.

2. Exception to the rotation list shall only occur when the customer specifically requests the use of their own towing service, and this request shall not place an undue burden upon any roadway of the Township. Communications Personnel shall record each customer request tow by date, time, location and towing agency.


11-28.18 Subcontracting.

Towing agency shall not assign calls to other tow companies not on the Township of Edison's Tow list. Subcontracting of any services under this section is allowed when a towing agency is in a temporary need of an additional tow vehicle or extraordinary circumstances require specialized and unique recovery and transport services. A copy of the subcontractor's invoice must be provided to the patron at the time the vehicle is released. The towing agency shall require the subcontractor to abide by all minimum operation standards established in Subsection 11-28.16.

The subcontractor must also follow the fees established in subsection 11-28.19 If a vehicle needs to be stored that vehicle must be towed to the originally called towing agency's storage lot. [Towing agency shall not assign calls to other tow companies. Subcontracting of any services under this section is prohibited except when extraordinary circumstances require specialized and unique recovery and transport services. In this case, the fee charged to the patron shall be no more than ten (10%) percent above the invoiced cost for the service or rented unit. A copy of the subcontractor invoice must be provided to the patron at the time the vehicle is released. The towing agency shall require the subcontractor to abide by all minimum operation standards established in subsection 11-28.16.] (1999 Code § 5.72.180)

a.  
*Roadside Service* (Tire change, Deliver Gas, Jump Start or Lock Out) (No Tow)

1.  Road service between 0800 hours to 1700 hours – Monday through Friday, Holidays excluded: [$45.00] $60.00
2.  Road service at all other times: [$55.00] $70.00
3.  Tow agency may add .75 cents per gallon of fuel delivered on a Road service call. Fuel receipts must be kept with copy of invoice and on file at towing agency.
4.  Axel and/or Drive shaft removal and reinstall $55.00
5.  Air up brake system: $45.00

b.  
*Towing.*

1.  Standard towing and flatbed service under 10,000 lbs. between 0800 hours to 1700 hours – Monday through Friday, Holidays excluded: [$70.00] $90.00
2.  Standard towing and flatbed service under 10,000 lbs. at all other times: [$87.50] $110.00
3.  Standard towing – 10,000 lbs [26,000 lbs] – 32,000 lbs between 0800 hours to 1700 hours – Monday through Friday, Holidays excluded: [$175.00] $210.00
4.  Standard towing – 10,000 lbs – [26,000 lbs] -32,000 lbs at all other times: [$225.00] $250.00
5.  Standard towing – More than [26,000 lbs] -32,000 lbs between 0800 hours to 1700 hours – Monday through Friday, Holidays excluded: [$250.00] $375.00
6.  Standard towing – More than 26,000 lbs at all other times: [$275.00] $425.00

c.  Vehicle up righting/crane/winching, in addition to any roadside service, towing, and waiting fees associated with the following New Jersey Traffic Report (NJTRI) Sequence of Event Codes shall be billed as follows:

Non-Collision
  Fire/Explosion
  Other Non-Collision

Collision w/Non-Fixed Object
  Pedalcycle
  Pedestrian
  Deer
  Other Animal
  Parked MV
Other Object [Non-Fixed]

Collision with Fixed Object
   Impact/Attenuator
   Guide Rail
   Median Barrier
   Traffic Sign Post
   Overhead Sign Support
   Light Standard
   Utility Pole
   Other Post
   Curb
   Fence
   Tree
   Unknown

1. Under 10,000 lbs: [$50.00] $80.00
2. 10,000 lbs – [26,000 lbs] – 32,000 lbs: [$100.00] $150.00
3. More than [26,000 lbs] - 32,000 lbs: [$150.00] $200.00

Uprighting/Crane/Winching services in addition to any roadside service, towing and waiting fees associated with the following New Jersey Traffic Report (NJTRI) Sequence of Event Codes shall be billed at a rate of $20.00 per one-quarter (1/4) hour per man:

Non-Collision
   Overturn [Rollover]
   Immersion
   Jackknife
   Ran Off Road
   Downhill Runaway
   Cargo Loss or Shift
   Separation of Units

Collision w/Non-Fixed Object
   Railway Train
   MV in Transport
   MV in Transport, Other Roadway

Collision with Fixed Object
   Bridge/Pier/Abutment
   Bridge Parapet End
   Bridge Rail
   Culvert
   Ditch
   Embankment
   Other Fixed Object
d. *Waiting Time.* In addition to any Roadside Service, Towing, and Vehicle Up Righting/Crane/Winching:

1. Under 10,000 lbs: $40.00 per hour, billable in quarter hour increments.
2. 10,000 lbs [– 26,000 lbs:] - 32,000 lbs: [$65.00] $ 80.00 per hour, billable in quarter hour increments.
3. More than [26,000 lbs:] 32,000 lbs: [$85.00] $120.00 per hour, billable in quarter hour increments.

e. *Mileage.* There shall be no mileage fees added to any tow when the vehicle is towed within the Township of Edison or to the towing agency's storage facility. Otherwise, vehicles will be assessed the following charges, measured from the point of vehicle pickup to customer site or storage facility.

1. Under 10,000 lbs: [$2.00] $3.50 per mile
2. 10,000 lbs [– 26,000 lbs:] - 32,000 lbs: [$3.00] $4.50 per mile
3. More than [26,000 lbs:] 32,000 lbs: [$4.00] $5.50 per mile

Vehicles towed in excess of twenty-five (25) miles from point of vehicle pickup to customer site or storage facility shall be charged at a negotiated predetermined rate between the towing agency and customer.

f. *Debris Clean Up.* When site cleanup is required, the following fees shall be assessed to each vehicle(s) that the debris emanated from:

1. Under 10,000 lbs: [$20.00] $35.00
2. 10,000 lbs [– 26,000 lbs:] 32,000 lbs: [$35.00] $50.00
3. More than [26,000 lbs:] 32,000 lbs: [$45.00] $65.00

g. *Storage.* Storage Fees can only be assessed for days when the facility is open and staffed for processing the release of vehicles for not less than seven and one-half (7.5) hours per day except Saturday. Tower shall be open for at least four (4) hours on Saturday for the release of vehicles. All other days shall be non-fee days unless the tower is open and staffed for processing the release of vehicles for at least four (4) hours.

1. No storage fee shall be assessed when the vehicle is retrieved within six (6) hours of the tow.
2. Under 10,000 lbs: [$30.00] $40.00 per day, billable in 6-hour increments.
3. 10,000 lbs to 32,000 lbs $50.00 per day, billable in 6 hour increments.
4. 32,001 lbs and above: [10,000 lbs and above: $60.00] $80.00 per day, billable in 6-hour increments.
h. **Hazardous Debris Disposal Fees.** The towing agency may assess the costs for hazardous debris disposal fees when this service is provided under this section. When applicable, these fees shall be assessed at a direct cost plus five (5%) percent handling expense.

i. **Certified Mail Return Receipt Requested.** The towing agency may assess the costs for sending Certified Mail Return Receipt Requested for providing notification of towing and storage fees to the vehicle owner, operator or leasee when required under this section. When applicable, these fees shall be assessed at direct cost.

j. There shall be no fees imposed other than those specified in this section.

k. Towing agencies shall accept cash, major credit cards, and in-state personal and in-state business checks (starter and third party checks excluded) as payment for any and all services provided under this section. (1999 Code § 5.72.190)

11-28.20 **Holidays Established.**

The following days shall be recognized as holidays under this section: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day. (1999 Code § 5.72.200)

11-28.21 **Customer Access to Towed Vehicles.**

Prior to payment in full for all services rendered by the towing agency, the towing agency shall permit a customer access to their towed vehicle to retrieve important personal papers and effects, including but not limited to wallets, purses, insurance documents, identification and banking documents. Customers shall not be permitted to remove vehicle parts, license plates, or other physical property stored in or on the vehicle. **All tow agencies must also allow insurance company representatives and or adjusters access to stored vehicles during normal business hours without charge.** (1999 Code § 5.72.210)

11-28.22 **Towing Agency Record Keeping.**

a. Each towing agency shall maintain a record keeping system as required by the Township of Edison and the laws of the State of New Jersey; at a minimum, the record keeping system shall include:

1. The date and time of request for towing.

2. The date and time the vehicle was towed.

3. The address from where the vehicle was towed and address to where the vehicle was towed.

4. The name of the towing operator performing service[,] complete breakdown of charges (winching, man hours, clean up etc.)

5. Complete dates of storage of said vehicle, and all charges assessed to or paid by the owner of each vehicle.
6. The date of release of said vehicle, including by whose authorization, and the name and address of the person obtaining said vehicle from storage. (It shall be required that the towing operator obtain a signed release for said vehicle from storage).

b. Records shall be maintained for two (2) calendar years.

c. The Police Department shall inspect these records prior to every license renewal application, and not less than one (1) additional inspection during each license term. The Police Department shall not be required to provide more than twenty-four (24) hours notice of any such inspection.

(1999 Code § 5.72.220)

11-28.23 Changes of Ownership to Revoke License.

Changes in ownership or title to any towing agency or vehicle licensed under this section shall automatically revoke the license for such tow trucks. (1999 Code § 5.72.230)

11-28.24 Refusal to Pay Fees Prohibited.

It is unlawful for a vehicle owner; operator or bailee of any vehicle referred to herein to refuse or fail to pay his/her fees as established in this section. (1999 Code § 5.72.240)


No vehicle covered by the terms of this section shall be licensed whose color scheme, or name, monogram or insignia to be used thereon, shall be in conflict with or, in the opinion of the Director of Public Safety, imitate any color scheme, monogram, name or insignia, used by any other person, firm, municipality or corporation operating a tow truck or towing agency, in such manner as to be misleading or tend to deceive or defraud the public. (1999 Code § 5.72.250)

11-28.26 Violations; Penalties.

Any person not having been duly licensed as a tow truck, or any person whose license as such driver has been revoked or suspended and who, during the time such revocation or suspension is in effect, identifies himself upon the streets of this Township, or who shall violate any other provision of this section, shall, upon conviction thereof, be liable to the penalty stated in Chapter I, Section 1-5. (1999 Code § 5.72.260)

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Edison, in the 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 Municipal Council hereby amends Chapter XI, Section 28 of the Code pertaining to Towing Regulations, to read as follows:

“11-28 TOWING REGULATIONS.”
11-28.1 Purpose

This section shall set forth the non-discriminatory and non-exclusionary regulations governing towing agencies engaged in the business of removing and storing motor vehicles at the request of any Township of Edison employee in the performance of his/her duties. This section shall apply to any property, whether public or private. This section is in accordance and as authorized by N.J.S.A. 40:48-2.49 entitled "Regulation of operators engaged in removal of motor vehicles." This section shall regulate the following, but not be limited to:

a. A schedule of fees or other charges which a towing agency may charge vehicle owners for towing services, storage services, recovery services, clean up services, and any other towing related services as required/requested by the Township of Edison, or any combination thereof;

b. Minimum standards of a towing agency performance, including but not limited to standards concerning the adequacy of equipment and facilities, availability and response time, and the security of the vehicles towed or stored;

c. The designation of the Municipal Officers and divisions to enforce the provisions of this section in accordance with due process of law;

d. The requirement that such regulations and fee schedules of individual towing agencies shall be made available to the public during normal business hours of the Municipality and the towing agency.

e. Exception: This section shall not apply to the following:

1. Towing services requested by the Division of Police when such services shall result in a Police Impoundment;

2. Towing services rendered to any vehicle owned, leased, or operated by the Township of Edison.

f. This section shall only apply to towers acting in the capacity of towing agencies for the Township of Edison.

(1999 Code § 5.72.010)

11-28.2 Definitions.

As used in this section:

Business Administrator means the Business Administrator of the Township of Edison, or his/her designee.

Chief of Police shall mean the Chief of the Township of Edison's Division of Police, or his/her designee.

Communications personnel means any on-duty 9-1-1 Telecommunicator/ Dispatcher of the Edison Division of Police.

Cruising means the driving of an empty tow truck to and fro along a public street at a slow rate of speed for the obvious purpose of soliciting tows; and/or the unsolicited response to any Police incident of a motor vehicle accident or disabled vehicle.
Director of Public Safety means the Director of the Department of Public Safety of the Township of Edison as defined by the Municipal Code of the Township of Edison, or his/her designee.

Garage keeper's legal liability means the protection of customers' vehicles and property under various conditions pertaining to specific garage functions.

Heavy-duty means a gross weight of at least thirty-two thousand (32,000) pounds

Medium duty means a gross weight of over ten-thousand (10,000) pounds but less than thirty-two thousand (32,000) pounds.

Light-duty means a gross weight up to ten-thousand (10,000) pounds

Persons means and includes a firm, co-partnership, association and corporation, and the singular or plural and the masculine, feminine or neuter thereof, unless the contrary is clearly expressed.

Police Officer means any on-duty sworn officer of the Edison Division of Police.

Towing agency means any person or entity owning or operating a tow truck service for compensation.

Tow truck means a motor vehicle equipped with a boom or booms, winches, slings, tilt beds or similar equipment designed for the towing or recovery of vehicles and other objects.

Waiting time means the additional time a tow operator spends at the scene other than the time required for the actual tow and/or recovery. Examples of waiting time may include but are not limited to EMS services which must be performed and/or police investigations.

Winching means the process of moving a motor vehicle by the use of additional chains, nylon slings, snatch blocks and/or additional lengths of winch cable from a position that is not on a roadway or not in a position for direct hook up by conventional means for loading onto a tow vehicle. Winching is not pulling a vehicle onto a tilt bed or carrier, nor lifting a motor vehicle with a conventional tow sling. Winching fees shall be billed per quarter hour per man.

(1999 Code § 5.72.020)

11-28.3 Administering and Enforcing Agencies.

a. General jurisdiction and responsibility shall be the Chief of Police or his/her designee. The Chief of Police shall have jurisdiction and responsibility of:

1. Inspection of tow trucks operating under this section;

2. Examination, investigation and recommendation of approval or rejection of applications for tow trucks requesting to operate under this section;
3. Enforcement of the provisions of this section.

b. General Jurisdiction and Responsibility of Collector of Revenue. The Municipal Clerk shall have jurisdiction and responsibility of issuing of applications, finger print forms and collection of fees. The Business Administrator shall issue such license approval after the satisfactory compliance by the applicant with the requirements of this section, and the recommendation of approval by the Chief of Police.

11-28.4 Tow Truck License Required; Expiration; Fee; Application Amendments.

a. No towing agency or person, while acting as an official towing agency for the Township of Edison shall operate a tow truck upon or along any property in the Township of Edison, until the owner thereof shall obtain a license therefor.

b. Nothing in this subsection or other subsections of this section shall be construed to require the licensing of any tow truck to perform any services other than those governed by this section.

c. All towing agency and tow truck licenses shall be issued by the Collector of Revenue and shall be issued to expire June 30th, next exceeding the date of issuance unless it is sooner suspended or revoked by the Business Administrator.

d. The annual fee to be paid for such license shall be the sum of six hundred ($600.00) dollars for up to the first two (2) light-medium duty tow trucks or one (1) heavy-duty tow truck per agency, and an additional one hundred fifty ($125.00) per light-medium duty tow truck and/or three hundred ($250.00) per heavy-duty tow truck thereafter. No portion of said fee shall be prorated for any portion of a year.

e. Licenses shall be for a three-year period commencing on July 1 and terminating three (3) years thereafter.

f. During the term of any license, a licensee shall file an update for any changes in vehicles and or employees. The amended application shall include a copy of the current license, and detail the reason for the amendment. Changes in vehicles shall require an application amendment fee of forty five (45.00) dollars. Changes in employee-drivers shall require an application amendment fee of twenty-five ($25.00) dollars per employee-driver added. The licensee shall not permit a new vehicle or new employee to operate any tows authorized under this license until the amendment has been filed and approved. Changes in towing agency ownership shall be ineligible for amendment applications.

(1999 Code § 5.72.040)

11-28.5 Applications for Licenses.

a. Applications for tow truck licenses shall be filed with the Township Clerk not later than April 1 of the pre-licensure year

b. Applications for licenses for tow trucks shall be made by the owner, lessee or bailee thereof, upon forms to be furnished by the Township Clerk, and such application shall contain
the name, business address, and telephone number of the applicant. If the application is made on behalf of a corporation, it shall state the name and address of the officers and directors thereof and the name and address of its registered agent, including a listing of the names and addresses of every stockholder holding more than ten (10%) percent of the stock of the corporation; the application shall have affixed thereto an affidavit to be sworn to by the applicant.

c. Each application shall also contain the following information:

1. The year, make, type and model number of each tow truck used in said business, its vehicle identification number (VIN), New Jersey registration number (license plate) and the name and address of the registered owner and operator;

2. The address(es) where the tow truck(s) is/are regularly garaged.

3. The names, addresses and New Jersey driver license numbers of all employee-drivers of the vehicles identified. An abstract of each employee-driver's New Jersey driver's license, not more than sixty (60) days old at time of submission;

4. Each employee operating under this license is able to read and write the English language and is a resident of the United States;

5. Each employee operating under this license is not addicted to the use of narcotics or intoxicating liquors;

6. Any and all convictions which the owner, agent or any employee-driver thereof has been convicted and, if the corporation, or any officer thereof has been convicted, stating the name, if any, and location of the courts and the dates on which such convictions were had and the penalties imposed therefor.

7. Any and all successful civil complaints filed against the owner, agent thereof, the corporation, or any officer thereof for deceptive business practices, including but not limited to insurance fraud, price gouging, or other similar complaint or offense. This shall not be construed to be limited to substantiated complaints with regard to towing services.

8. An original Letter of Authorization for the Edison Police Department to conduct a full and complete criminal and driver license background check on each owner, agent thereof, and employee-driver. The owner(s) and the corporation shall also include an Authorization for the Edison Police Department to an investigation into the insurance coverage for the corporation, as it applies to this license. Each employee must execute his own Letter of Authorization. Blanket authorizations are not permitted.

9. The experience of the owner, the employee-drivers, and the corporation in the towing of vehicles for hire; including all relevant employment history.

10. The location, size and security features of the storage lot or space in which towed vehicles will be stored, including the number of vehicle spaces available;

11. The name and address of the operator's insurance carrier(s) and the policy numbers of all insurance policies issued for the business, the business premises and the vehicles identified in the application.
12. A certification signed by the owner (or agent thereof) that a document detailing the towing and storage services and fees supplied under this license will be posted in the public area of the towing agency's premises in plain view for the duration of this license, in compliance with this section.

13. A certification granting permission to the Chief of Police or his/her designee to conduct inspections of the tow trucks and towing agency for the purpose of determining compliance with this section.

14. Any other information as the Township of Edison shall deem appropriate and necessary to properly evaluate the towing agency for this license.


11-28.6 Investigation of Applicants; Administering Official Authorized to Grant or Refuse Licenses.

a. The Chief of Police or his/her designee shall conduct or cause to be conducted such investigation as he/she deems necessary to determine the truth and accuracy of the information contained in the application, and the applicant's compliance with this section. This investigation may include a full and complete criminal and driver license background check on each owner, agent thereof, and employee-driver. At the discretion of the Chief of Police or his/her designee, applicants and/or their employee-drivers may be required to submit fingerprints to complete the background investigation(s). Any fees relating to the fingerprint checks shall be borne by the applicant.

b. The applicant, or an employee-driver, may be refused if such investigation reveals any of the following, or if the applicant or any employee refuses to permit such investigation:

1. Conviction of any crime of the fourth degree or higher, possession or use of a controlled dangerous substance; and other crimes against the person or crimes involving moral turpitude. Any plea arrangement which results in Pre-Trial Intervention, Conditional Discharge, or any other similar diversionary trial settlement may be viewed as a conviction to the original charge/offense.

2. Conviction of operating a motor vehicle under the influence of an intoxicating liquor or drug (N.J.S.A. 39:4-50); leaving the scene of an accident (N.J.S.A. 39:4-129); failure to report an accident (N.J.S.A. 39:4-130); reckless driving (N.J.S.A. 39:4-96) and possession of a controlled dangerous substance in an automobile (N.J.S.A. 39:4-49.1).

3. Successful civil complaints filed against the owner, agent thereof, the corporation, or any officer thereof for deceptive business practices, including but not limited to insurance fraud, price gouging, or other similar complaint or offense.

c. Upon completion of the background checks, the Chief of Police shall render a decision on the applicant.

1. A decision to grant the license shall be forwarded, in writing, to the Business Administrator.
2. A decision to refuse the license shall be forwarded, in writing, to the applicant and Business Administrator. The Chief of Police shall document the reasons thereof. The denial may be as narrow as to restrict any one employee from performing tows under this license, to a total denial for the entire applicant.

d. Only one (1) approval shall be granted to a towing agency or its affiliate. For the purpose of this section, "affiliate" shall mean any towing agency in which there is a common ownership of more than ten (10%) percent or any common officer or director.


11-28.7 Appeal of Application Denial.

a. Upon receipt of a denial of a license, or partial denial, the applicant may file an appeal with the Business Administrator. The appeal must be filed within fourteen (14) days of receipt of the decision. Such appeal shall be submitted in writing and shall document the applicant's position for approval of the license.

b. Upon receipt of the appeal, the Business Administrator shall review all documentation relating to this application. Such review may include interviews with the interested parties. The Business Administrator shall issue a final decision within thirty (30) business days of receipt of the appeal. The decision of the Business Administrator is final and binding. No further appeals are permitted.

(1999 Code § 5.72.070)

11-28.9 Inspection of Tow Trucks and Facilities.

a. No tow truck or towing agency covered by the terms of this section shall be licensed until it has been thoroughly and carefully inspected and examined by the Chief of Police, or someone delegated by him or her to conduct such examination, and found to be in compliance with NJ Title 39 statues and in a sanitary condition. Any tow truck or towing agency found to be in violation of Title 39 or unsanitary shall not be licensed. The Chief of Police is authorized and empowered to establish reasonable rules and regulations for the inspection of tow trucks and towing agencies.

b. The Police Department shall maintain due vigilance over all tow trucks and towing agencies licensed under this section and see that they are kept in a condition of safety and sanitation, and to this end shall have the right, at any and all times, to inspect any and all such licensed vehicles and storage facilities and shall maintain a record in writing of the report of all such inspections.


11-28.9 Issuance of License; Posting Required.

a. The Edison Police Department, upon approval of the tow truck license, shall issue a Certificate of License to the applicant. The licensee shall prominently display the Certificate of License in the public portion of his/her business premises. The license shall remain displayed for
the entire duration of the license term. Replacement Certificate of License shall be provided upon written application of the licensee and payment of twenty-five ($25.00) dollars.

b. The Township of Edison shall provide one (1) vehicle decal for each tow truck authorized to operate under the applicant's license. The licensee shall prominently display the vehicle decal on each authorized tow truck in a location to be determined by the Director of Public Safety. The decal shall remain displayed for the entire duration of the license term. Replacement vehicle decals shall be provided upon written application of the licensee and payment of twenty-five ($25.00) dollars for each decal.

c. Any license issued under this section is nontransferable. Changes in ownership shall require an entire new application filing.

d. The towing agency must provide to all vehicle owners at the scene of an accident a rate card with information on claiming a vehicle, the name of the business, its owner, tower's license number, the business location, telephone numbers and hours of operation to the public. The card shall also state the rates for towing services. The towing agency may use a standard business card with the required additional information.

(1999 Code § 5.72.090)

11-28.10 Insurance Requirements; Indemnity.

a. Each towing agency shall maintain, during the term of their license, the following minimum insurance coverage, naming the Township of Edison as an additional insured:

1. Automobile Liability Insurance, in an amount not less than one million ($1,000,000.00) dollars combined single limit, covering each vehicle utilized by the operator in his business.

2. Workmen's Compensation Insurance, as required by the State of New Jersey, including employer's liability coverage with a limit of at least one hundred thousand ($100,000.00) dollars.

3. Comprehensive, General Liability Insurance, in an amount of not less than one million ($1,000,000.00) dollars for personal injuries, per occurrence, and one million ($1,000,000.00) dollars for property damage, per occurrence, including premises operations and products/completed operations.

4. Garage Keepers and Garage Liability Insurance, in an amount not less than one hundred thousand ($100,000.00) dollars.

5. All policies of insurance shall contain an endorsement providing for collision coverage for vehicles in tow.

b. All policies of insurance shall contain an endorsement requiring that at least fifteen (15) days’ notice shall be given to the Township of Edison in the event of any material change in or cancellation of the policy.

c. The operator shall indemnify and hold harmless the Township of Edison from any claims for injury or property damage arising out of, or in any way related to, the operation of any tow truck, towing service or storage yard, pursuant to this section. The towing agency shall
further defend the Township of Edison at the operator's expense, in connection with any claim, suit or action, brought against the Township of Edison, and arising out of the operation of any tow truck, towing service or towing yard, pursuant to this section.

d. All policies of insurance shall be issued by insurance companies authorized to do business in the State of New Jersey, and shall remain in full force and effect during the entire term of the license. The Township of Edison shall be named as additional insured on all policies of liability insurance.

e. No license shall be issued until an approved applicant files insurance certificates verifying all of the above requirements. The Insurance Certificates shall be filed with the Collector of Revenue.

f. Any licensee who has a lapse in any insurance policy, for any reason whatsoever, shall have his/her license immediately suspended. Upon notice of lapse of coverage, the Collector of Revenue shall immediately serve notice of suspension upon the licensee, with copy of said notice provided to the Business Administrator and the Director of Public Safety. The suspension shall remain in effect until such time as the insurance is restored.

(1999 Code § 5.72.100)

11-28.11 Resister of Vehicles.

a. The Police Department shall keep a register of each tow truck licensed under this section, together with the license number and description, make and dimensions of such vehicles and the date and a complete record of inspections made thereof.

b. The Police Department shall keep a register of each towing agency licensed under this section, together with photographs of the vehicle storage area and the customer waiting room, and the date and a complete record of inspections made thereof.

(1999 Code § 5.72.110)

11-28.12 Revocation and Suspension of Licenses Authorized.

Licenses granted under the preceding subsections of this section may be revoked or suspended at any time by the Business Administrator, if a tow truck or storage facility shall not be in a safe and sanitary condition and kept in conformity with the terms of this section, or for the violation of any of the provisions of this section or any of the rules and regulations made by the Director of Public Safety. (1999 Code § 5.72.120)

11-28.13 Duties of the Towing Agency.

a. The towing agency must operate a legitimate towing agency business premises within the Township of Edison, or within five (5) miles of Edison Township Municipal Complex located at 100 Municipal Boulevard, Edison, New Jersey. The towing agency must respond to a call for service from the Edison Police Department within the following time parameters:

2. 6:00 a.m. to 8:00 p.m. - light-medium duty tow trucks must be on location within twenty (20) minutes from receipt of the call and heavy-duty tow trucks must be on location...
within thirty (30) minutes from receipt of the call. This requirement applies every day of the year, regardless of holidays, unless such response time is prevented by extraordinary conditions of weather or other extraordinary circumstances resulting in obstruction of general access to the scene.

2. 8:01 p.m. to 5:59 a.m. - light-medium duty tow trucks must be on location within twenty-five (25) minutes from receipt of the call and heavy duty tow trucks must be on location within thirty-five (35) minutes from receipt of the call. This requirement applies every day of the year, regardless of holidays, unless such response time is prevented by extraordinary conditions of weather or other extraordinary circumstances resulting in obstruction of general access to the scene.

   b. In the event that towing agency fails to arrive within the prescribed time from receipt of a call from the Edison Police Department, the Edison Police Department shall be permitted to secure the services of an alternate towing agency. In the event of said circumstance, the first called towing agency shall not be entitled to any fee for their late response or costs and expenses incurred as a result thereof.

c. In the event that a towing agency is called by the Edison Police Department, and prior to the towing agency actually hooking a vehicle or providing any type of service at scene to which it was called, The Edison Police Department shall be permitted to change the towing agency due to findings and/or procedure in a police investigation. The first called towing agency shall be placed as next to be called on the towing list. The first called towing agency shall not be entitled to any fee for their response or costs and expenses incurred as a result thereof.

(1999 Code § 5.72.130)

**11-28.14 Storage Facilities.**

a. Each towing agency shall maintain storage facilities, conforming to the following standards and requirements:

1. Towing agency shall have sufficient space to accommodate at least fifteen (15) vehicles, adequately safe-guarded against vandalism and theft, in which to hold towed vehicles of absent drivers or owners, until such time as said vehicles are claimed or are disposed of in accordance with the law.

2. All storage facilities shall be owned, operated and/or under the control of the operator, and shall be located within the Township of Edison, or no more than five (5) miles from the Edison Township Municipal Complex located at 100 Municipal Boulevard, Edison, New Jersey.

3. No towed vehicle may be stored upon a public street, sidewalk, public right-of-way or alley. All towed vehicles must be stored by the towing agency within the storage area as described within this section.

4. Customer service waiting area shall be neat and clean. A restroom facility shall be available during normal business hours.
11-28.15 Equipment.

a. Tow trucks shall be equipped and of sufficient size, weight and configuration to safely tow all makes of domestic and foreign automobiles, light duty trucks and vans.

b. Tow trucks shall be equipped with sufficient emergency warning lights.

c. The name, address and telephone number of the operator shall be permanently affixed to the left and right sides of each tow truck.

d. All operators on the rotating list shall provide and maintain the following minimum equipment: two (2) light duty towing vehicles (one (1) of which may be a flat-bed, roll back vehicle), with a gross vehicle weight rating (GVWR) of eleven thousand (11,000) pounds, and a lifting device with a minimum capacity of four (4) tons.

e. Tow trucks will be equipped with tow sling type bars, with rubber straps, and wheel lifts, with safety straps for lifting, to prevent damage to towed vehicles, and steering locks for towing vehicles from the rear.

f. Jumper cables and/or Jump Box

g. A minimum of one (1) five (5) pound CO2 dry powder fire extinguisher.

h. One (1) reflective traffic safety vest for each employee at an incident location.

i. A minimum of one (1) broom, one (1) shovel and one (1) debris/refuse container.

j. A wireless telephone for communication with the Police Communications Center.

k. A minimum of five (5) gallons of Absorbent material on each towing vehicle at all times.

l. Jack (for changing tires)

m. A minimum of one (1) Tire Chock

n. Lock out Kit (for making entry into locked vehicles.

o. A minimum of two (2) Snatch Blocks

p. Towing lights

q. A minimum of two (2) Tire Skates

r. Ratchet Straps for proper tie down (flatbed/rollback)


t. Assorted tools, hand or power for road service, changing tires etc.
11-28.16 Minimum Operation Standards.

a. Towing agency shall, at all times, employ a sufficient number of employees to comply with the minimum operational requirements.

b. All drivers of the operator shall be not less than the age of eighteen (18) years and must have a valid, current New Jersey State Driver's License and shall be in good health and of high moral character.

c. All employees shall be clean, neat, and make a good appearance. Smoking shall not be permitted in any tow truck or in the customer service area of any storage facility without the permission of the customer.

d. The towing agency shall be responsible for the towing of vehicles, from all streets, alleys, public easements, thoroughfares, public, quasi-public places, and private property, including parks, playgrounds, including rivers, lakes and streams, anywhere within the Township of Edison.

e. In all underwater recoveries of a non-emergent nature (threats to life or public safety), it shall be the responsibility of the towing agency to be either certified or assisted by a New Jersey certified underwater specialist for the proper towing of such vehicles.

f. The operator shall be responsible to clean up all broken glass and debris at the scene of accidents and remove same from the scene. All vehicles must be equipped with a broom, shovel and container to remove debris. Clean up shall be performed in accordance with N.J.S.A. 39:4-56.8. "Definitions: removal of disabled motor vehicles by towing services under contract; failure to remove debris surrounding vehicle; penalty."

g. The towing agency is not required to remove any debris or material which may be hazardous, such as oil, gasoline, kerosene, or other petroleum or chemical products, or debris material which the service is not equipped to remove. When the towing agency is equipped to remove such debris, it shall dispose of said debris in full accordance with all applicable State and Federal Statutes. The towing agency shall be entitled to an additional hazardous debris disposal fee when this service is properly performed.

h. The towing agency shall verbally detail the anticipated expense to the vehicle operator prior to rendering any service. This regulation may be waived when the vehicle operator is unable to speak with the towing agency employee at the scene due to a medical condition, or when the operator has been removed from the scene prior to the towing agency's arrival.

1. When the towing agency was unable to provide this notification at the scene, they must attempt to contact the vehicle owner, operator or leasee by telephone within twenty-four (24) hours of the tow. If the towing agency encounters an answering machine, a detailed message left on the machine shall constitute compliance.
2. In the event telephone contact is unsuccessful, the towing agency shall send written notification of the towing and storage charges and information on how to obtain release of the vehicle to the registered owner. This notification shall be sent by Certified Mail with Return Receipt Requested. A copy of the notice shall be sent via regular mail to the Edison Police Department Traffic Bureau.

3. Failure of the towing agency to comply with this provision shall restrict their storage fees to the first twenty-four (24) hours.
   i. Towing agency must ensure that all its authorized agents agree to follow the instruction and/or order of the Police Officer at the towing scene.

(1999 Code § 5.72.160)

11-28.17   Rotating Lists; Districts; Specific Needs.

   a. The Chief of Police shall create towing districts within the Township. The Chief of Police or his/her designee shall have sole discretion as to district boundaries. Changes to boundary lines shall only be permitted at the commencement of the license year.

   b. The Chief of Police is authorized to create lists for specific towing needs such as heavy duty tow trucks.

   c. The Chief of Police shall create rotating towing lists to be utilized by the Communications Personnel. The list shall be created by district, by specific need at the commencement of each license year. Communications Personnel shall always use the appropriate rotation list when a tow truck is requested under this section. Communications Personnel shall record each tow by date, time, location and towing agency.

   1. Any towing agency that fails to/or is unable to respond shall be recorded as non-respondent and the Communications Personnel shall advance to the next towing agency on the list.

   2. Exception to the rotation list shall only occur when the customer specifically requests the use of their own towing service, and this request shall not place an undue burden upon any roadway of the Township. Communications Personnel shall record each customer request tow by date, time, location and towing agency.


11-28.18   Subcontracting.

Towing agency shall not assign calls to other tow companies not on the Township of Edison's Tow list. Subcontracting of any services under this section is allowed when a towing agency is in a temporary need of an additional tow vehicle or extraordinary circumstances require specialized and unique recovery and transport services. A copy of the subcontractors invoice must be provided to the patron at the time the vehicle is released. The towing agency shall require the subcontractor to abide by all minimum operation standards established in Subsection 11-28.16. The subcontractor must also follow the fees established in subsection 11-28.19 If a vehicle needs to be stored that vehicle must be towed to the originally called towing agency's storage lot.

a. Roadside Service (Tire change, Deliver Gas, Jump Start or Lock Out) (No Tow)
   
   1. Road service between 0800 hours to 1700 hours – Monday through Friday, Holidays excluded: $60.00
   
   2. Road service at all other times: $70.00
   
   3. Tow agency may add .75 cents per gallon of fuel delivered on a Road service call. Fuel receipts must be kept with copy of invoice and on file at towing agency.
   
   4. Axel and/or Drive shaft removal and reinstall $55.00
   
   5. Air up brake system: $45.00

b. Towing.

   1. Standard towing and flatbed service under 10,000 lbs. between 0800 hours to 1700 hours – Monday through Friday, Holidays excluded: $90.00
   
   2. Standard towing and flatbed service under 10,000 lbs. at all other times: $110.00
   
   3. Standard towing – 10,000 lbs– 32,000 lbs between 0800 hours to 1700 hours – Monday through Friday, Holidays excluded: $210.00
   
   4. Standard towing – 10,000 lbs —32,000 lbs at all other times: $250.00
   
   5. Standard towing – More than -32,000 lbs between 0800 hours to 1700 hours – Monday through Friday, Holidays excluded: $375.00
   
   6. Standard towing – More than 26,000 lbs at all other times: $425.00

c. Vehicle up righting/crane/winching, in addition to any roadside service, towing, and waiting fees associated with the following New Jersey Traffic Report (NJTRI) Sequence of Event Codes shall be billed as follows:

   Non-Collision
   Fire/Explosion
   Other Non-Collision

   Collision w/Non-Fixed Object
   Pedalcycle
   Pedestrian
   Deer
   Other Animal
   Parked MV
   Other Object [Non-Fixed]
Collision with Fixed Object
Impact/Attenuator
Guide Rail
Median Barrier
Traffic Sign Post
Overhead Sign Support
Light Standard
Utility Pole
Other Post
Curb
Fence
Tree
Unknown

1. Under 10,000 lbs: $80.00
2. 10,000 lbs — 32,000 lbs: $150.00
3. More than 32,000 lbs: $200.00

Uprighting/Crane/Winching services in addition to any roadside service, towing and waiting fees associated with the following New Jersey Traffic Report (NJTRI) Sequence of Event Codes shall be billed at a rate of $20.00 per one-quarter (1/4) hour per man:

Non-Collision
Overturn [Rollover]
Immersion
Jackknife
Ran Off Road
Downhill Runaway
Cargo Loss or Shift
Separation of Units

Collision w/Non-Fixed Object
Railway Train
MV in Transport
MV in Transport, Other Roadway

Collision with Fixed Object
Bridge/Pier/Abutment
Bridge Parapet End
Bridge Rail
Culvert
Ditch
Embankment
Other Fixed Object

d. Waiting Time. In addition to any Roadside Service, Towing, and Vehicle Up Righting/Crane/Winching:
1. Under 10,000 lbs: $40.00 per hour, billable in quarter hour increments.
2. 10,000 lbs - 32,000 lbs: $80.00 per hour, billable in quarter hour increments.
3. More than 32,000 lbs: $120.00 per hour, billable in quarter hour increments.

**Mileage.** There shall be no mileage fees added to any tow when the vehicle is towed within the Township of Edison or to the towing agency's storage facility. Otherwise, vehicles will be assessed the following charges, measured from the point of vehicle pickup to customer site or storage facility.

1. Under 10,000 lbs: $3.50 per mile
2. 10,000 lbs - 32,000 lbs: $4.50 per mile
3. More than 32,000 lbs: $5.50 per mile

Vehicles towed in excess of twenty-five (25) miles from point of vehicle pickup to customer site or storage facility shall be charged at a negotiated predetermined rate between the towing agency and customer.

**Debris Clean Up.** When site cleanup is required, the following fees shall be assessed to each vehicle(s) that the debris emanated from:

1. Under 10,000 lbs: $35.00
2. 10,000 lbs - 32,000 lbs: $50.00
3. More than 32,000 lbs: $65.00

**Storage.** Storage Fees can only be assessed for days when the facility is open and staffed for processing the release of vehicles for not less than seven and one-half (7.5) hours per day except Saturday. Tower shall be open for at least four (4) hours on Saturday for the release of vehicles. All other days shall be non-fee days unless the tower is open and staffed for processing the release of vehicles for at least four (4) hours.

1. No storage fee shall be assessed when the vehicle is retrieved within six (6) hours of the tow.
2. Under 10,000 lbs: $40.00 per day, billable in 6-hour increments.
3. 10,000 lbs to 32,000 lbs $50.00 per day, billable in 6 hour increments.
4. 32,001 lbs and above: $80.00 per day, billable in 6-hour increments.

**Hazardous Debris Disposal Fees.** The towing agency may assess the costs for hazardous debris disposal fees when this service is provided under this section. When applicable, these fees shall be assessed at a direct cost plus five (5%) percent handling expense.

**Certified Mail Return Receipt Requested.** The towing agency may assess the costs for sending Certified Mail Return Receipt Requested for providing notification of towing and
storage fees to the vehicle owner, operator or lessee when required under this section. When applicable, these fees shall be assessed at direct cost.

j. There shall be no fees imposed other than those specified in this section.

k. Towing agencies shall accept cash, major credit cards, and in-state personal and in-state business checks (starter and third party checks excluded) as payment for any and all services provided under this section.

(1999 Code § 5.72.190)

11-28.20 Holidays Established.

The following days shall be recognized as holidays under this section: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day. (1999 Code § 5.72.200)


Prior to payment in full for all services rendered by the towing agency, the towing agency shall permit a customer access to their towed vehicle to retrieve important personal papers and effects, including but not limited to wallets, purses, insurance documents, identification and banking documents. Customers shall not be permitted to remove vehicle parts, license plates, or other physical property stored in or on the vehicle. All tow agencies must also allow insurance company representatives and or adjusters access to stored vehicles during normal business hours without charge. (1999 Code § 5.72.210)

11-28.22 Towing Agency Record Keeping.

a. Each towing agency shall maintain a record keeping system as required by the Township of Edison and the laws of the State of New Jersey; at a minimum, the record keeping system shall include:

1. The date and time of request for towing.
2. The date and time the vehicle was towed.
3. The address from where the vehicle was towed and address to where the vehicle was towed.
4. The name of the towing operator performing service, complete breakdown of charges (winching, man hours, clean up etc.)
5. Complete dates of storage of said vehicle, and all charges assessed to or paid by the owner of each vehicle.
6. The date of release of said vehicle, including by whose authorization, and the name and address of the person obtaining said vehicle from storage. (It shall be required that the towing operator obtain a signed release for said vehicle from storage).

b. Records shall be maintained for two (2) calendar years.
c. The Police Department shall inspect these records prior to every license renewal application, and not less than one (1) additional inspection during each license term. The Police Department shall not be required to provide more than twenty-four (24) hours notice of any such inspection.
(1999 Code § 5.72.220)

11-28.23 Changes of Ownership to Revoke License.

Changes in ownership or title to any towing agency or vehicle licensed under this section shall automatically revoke the license for such tow trucks. (1999 Code § 5.72.230)

11-28.24 Refusal to Pay Fees Prohibited.

It is unlawful for a vehicle owner; operator or bailee of any vehicle referred to herein to refuse or fail to pay his/her fees as established in this section. (1999 Code § 5.72.240)


No vehicle covered by the terms of this section shall be licensed whose color scheme, or name, monogram or insignia to be used thereon, shall be in conflict with or, in the opinion of the Director of Public Safety, imitate any color scheme, monogram, name or insignia, used by any other person, firm, municipality or corporation operating a tow truck or towing agency, in such manner as to be misleading or tend to deceive or defraud the public. (1999 Code § 5.72.250)

11-28.26 Violations; Penalties.

Any person not having been duly licensed as a tow truck, or any person whose license as such driver has been revoked or suspended and who, during the time such revocation or suspension is in effect, identifies himself upon the streets of this Township, or who shall violate any other provision of this section, shall, upon conviction thereof, be liable to the penalty stated in Chapter I, Section 1-5. (1999 Code § 5.72.260)

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance, into the Code. All of the remaining provisions in Chapter XI, Section 28 of the Code shall remain unchanged, and have full force and legal effect. All other resolutions and ordinances governing the provisions of Chapter XI, Section 28 of the Code heretofore enacted and inconsistent herewith, are hereby modified pursuant to the terms of this Ordinance.

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

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.
EXPLANATION: An Ordinance amending Township Code Chapter 4-8 and Chapter 4-11 with respect to the award of public contracts to political contributors.

EDISON TOWNSHIP

ORDINANCE O.2020-2018

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

WHEREAS, the Municipal Council of the Township desires to amend Township Code Chapter 4-8 and Chapter 4-11 to ensure further regulation of political contributions made to elected Township officials; and

WHEREAS, the Municipal Council has determined that Chapter 4-8 and Chapter 4-11 of the Township Code, as currently constructed, have caused confusion among those seeking or performing business within the Township; and

WHEREAS, the Municipal Council has determined that it would be in the best interest of the Township to amend Chapters 4-8 and 4-11 of the Township Code, entitled “Public Contracts to Certain Contributors,” as follows:

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

4-8 [PUBLIC CONTRACTS TO CERTAIN CONTRIBUTORS] RESTRICTIONS ON POLITICAL CONTRIBUTIONS.

4-8.1 Prohibition on Awarding Public Contracts to Certain Contributors.

a. Any other provision of law to the contrary notwithstanding, the municipality or any of its purchasing agents or agencies or those of its independent authorities, as the case may be, shall not enter into an agreement or otherwise contract to procure professional, banking, insurance coverage services or any other consulting services, from any professional business entity, as defined in subsection d. below, if that entity has solicited or made any contribution of money, or pledge of a contribution, including in-kind contributions, to any Edison Township municipal candidate or holder of the public office having ultimate responsibility for the award of contract, or campaign committee supporting such candidate or officeholder, or to any Edison Township or Middlesex County party committee, or to any political action committee that regularly engages in the support of municipal elections and/or municipal parties (PAC) in excess of the thresholds specified in paragraph c. within one (1) calendar year before [preceding] the date of the contract or agreement and for one year after termination.

b. No professional business entity, as defined in subsection d. below, which enters into negotiations for, or agrees to, any contract or agreement with the municipality or any department or agency thereof or of its independent authorities for the rendition of professional, banking or insurance coverage services or any other consulting service shall solicit or make any contribution of money, or pledge of a contribution, including in-kind contributions, to any Edison Township...
municipal candidate or holder of the public office having ultimate responsibility for the award of the contract, or campaign committee supporting such candidate of officeholder, or to any Edison Township or Middlesex County party committee, or to any PAC that regularly engages in the support of municipal elections and/or municipal parties [between] for one (1) year from the time of first communications between that business entity and the Township regarding a specific professional services agreement. [and the later of the termination of negotiations or the completion of the contract or agreement.]

c. 1. Subject to the limitations in 2. any entity meeting the definition of "professional business entity" in subsection d. below, as well as any PAC as referenced in this section, [under this section] may annually contribute a maximum of three hundred fifty [four hundred] ($350.00) [($400.00)] dollars for any purpose to each candidate for Mayor, Council, or Edison Township Board of Education, four hundred ($400.00) dollars for any candidate for the Middlesex County Board of Chosen Freeholders, and five hundred ($500.00) dollars to each Edison Township or Middlesex County party committees, or to a PAC referenced in this section, without violating paragraph a. However, 2. any entity meeting the definition of "professional business entity" under this section, including such principals, partners, and officers of the entity in the aggregate, as well as any PAC as referenced in this section, may not annually contribute for any purpose in excess of a total of [two] one thousand [five] four hundred [(2,500.00)] ($1,400.00) dollars to all Edison Township candidates and officeholders with ultimate responsibility for the award of the contract and all Edison Township, Edison Township Board of Education, Middlesex County Board of Chosen Freeholders or Middlesex County political parties and PACs referenced in this section combined, without violating paragraph a.

d. For purposes of this section, a "professional business entity" is an entity seeking or performing a public contract for professional, banking or insurance coverage services, any other consulting services, and any other businesses, builders, planners, consultants, developers, engineers or employees of an engineering firm, and attorneys representing persons doing business in the Township, and which may be an individual, including the individual’s spouse, if any, and any child living at home; a person; firm; corporation; professional corporation; partnership; organization; or association. The definition of a business entity includes all principals who own five (5%) percent or more of the equity in the corporation or business trust, partners, and officers in the aggregate employed by the entity as well as any subsidiaries directly controlled by the business entity.

e. For the purpose of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be:

1. The Township of Edison Council and the Mayor of the Township of Edison, if the contract requires approval or appropriation from the Council.

2. The Mayor of the Township of Edison, if the contract requires approval of the Mayor, or if a public officer who is responsible for the award of the contract is appointed by the Mayor.

4-8.2 Contributions Made Prior to the Effective Date.
No contribution of money or any other thing of value, including in-kind contributions, made by a professional business entity to any municipal candidate for Mayor or Council, or municipal or County party committee or PAC referenced in this section shall be deemed a violation of this section, nor shall an agreement for property, goods, or services, of any kind whatsoever, be disqualified thereby, if that contribution was made by the professional business entity prior to the effective date of this section.

4-8.3 Contribution Statement by Professional Business Entity.

a. Prior to awarding any contract or agreement to procure professional services, or banking or insurance coverage services or any other consulting services, with any professional business entity, the township or any of its purchasing agents or agencies, as the case may be, shall receive a sworn statement from the professional business entity made under penalty of perjury that the bidder or offeror has not made a contribution within one year from the first communication about the contract, in violation of subsection 4-8.1.

b. The professional business entity shall have a continuing duty to report any violations of this section that may occur during the negotiation or duration of a contract. The certification required under this section shall be made prior to entry into the contract or agreement with the Township and shall be in addition to any other certifications that may be required by any other provision of law.

4-8.4 Return of Excess Contributions.

A professional business entity or Township candidate or officeholder or municipal or county party committee or PAC referenced in this section may cure a violation of subsection 4-8.1, if, within sixty (60) days after the contribution, the professional business entity notifies the Township Council in writing and seeks and receives reimbursement of a contribution from the Township candidate or municipal or County political party or PAC referenced in this section.

4-8.5 Penalty.

a. It shall be a breach of the terms of the Edison Township professional service agreement for a business entity to 1. make or solicit a contribution in violation of this section; 2. knowingly conceal or misrepresent a contribution given or received; 3. make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; 4. make or solicit any contribution on the condition or with the agreement that it will be contributed to campaign committee of any candidate or holder of the public office of Edison Township; 5. engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the business entity itself, would subject that entity to the restrictions of this section; 6. fund contributions made by third parties, including consultants, attorneys, family members, and employees; 7. engage in any exchange of contributions to circumvent the intent of this section; or 8. directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restrictions of this section.
b. Furthermore, any professional business entity who violates paragraph a. above shall be disqualified from eligibility for future Edison Township contracts for a period of four (4) calendar years from the date of the violation.

4-8.6 Contributions in Any Amount Prohibited.

a. Contributions in any amount are prohibited from the following individuals:

1. Any active member of a Township Board or Commission; and

2. Any current employee of the Township.

b. Any contribution made in violation of this section 4-8.6 shall subject the contributor to fine not to exceed the amount of the contribution.

4-11 REDEVELOPMENT PAY-TO-PLAY REFORM.

4-11.1 Prohibition of Entering into or Amending Redevelopment Agreements with Certain Contributors.

a. Any other provision of law to the contrary notwithstanding, the Township of Edison or any of its purchasing agents or agencies or those of its independent authorities, as the case may be, shall not enter into an agreement, amend an agreement, or otherwise contract with any redeveloper, as defined in subsection d. below, for the planning, re-planning, construction or undertaking of any redevelopment project, including the acquisition or leasing of any public property in conjunction with the redevelopment of any area within the Township of Edison pursuant to the Local Redevelopment and Housing Law, if that redeveloper has made any contribution of money or pledge of a contribution, including in-kind contributions, during the applicable time period as specified below defined in subsection b. below, to a campaign committee of any Edison Township candidate or holder of public office within the Township of Edison having responsibility for arranging, entering into, or approving the redevelopment agreement, or for appointing those who enter into the agreement on behalf of the Township of Edison or; to any municipal political campaign committee, or to any County party committee, or to any political action committee which regularly engages in the support of municipal elections and/or municipal parties or which engages in the support of Edison Township municipal campaigns (PAC).

b. For purposes of this section, the "applicable time period" shall be defined as the time period between the date that the property which is the subject of the redevelopment project has been included in a memorializing resolution adopted by the Governing Body directing the Planning Board to conduct a preliminary investigation to determine if the site is in need of redevelopment pursuant to and in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq., and the date of entering into the redevelopment agreement, or the twelve (12) months prior to entering into the agreement,[, whichever is shorter.]
[b.] c. All redevelopment agreements or amendments thereto entered into by the Township of Edison shall contain a provision prohibiting redevelopers as defined in paragraph c. to solicit or make any contribution of money or pledge of a contribution including in-kind contributions, to any Edison Township candidate or holder of public office within the Township of Edison having responsibility for arranging, entering into, or approving the redevelopment agreement, or for appointing those who enter into the agreement on behalf of the Township of Edison or; to any Edison Township political campaign committee, or to any Edison Township or Middlesex County Party Committee, or to any political action committee which regularly engages in the support of municipal elections and/or municipal parties or which engages in the support of Edison Township municipal campaigns (PAC), between the time of first communication between that redeveloper and the municipality regarding a redevelopment project and the later of the termination of negotiations or the completion of all matters specified in the redevelopment agreement.

c. d. As defined in N.J.S.A. 40A:12A-3, a "redeveloper" means any person, firm, corporation or public body that shall enter into or propose to enter into a contract with a municipality or other redevelopment entity for the redevelopment or rehabilitation of an area in need of redevelopment, or an area in need of rehabilitation, or any part thereof, under the provisions of this section, or for any construction or other work forming part of a redevelopment or rehabilitation project. For the purposes of this section the definition of a redeveloper includes all principals who own five percent or more of the equity in the corporation or business trust, partners and officers in the aggregate employed by the provider as well as any affiliates or subsidiaries directly controlled by the redeveloper. Spouses and adult children at home shall also be included.

d. e. For the purposes of this section, the office that is considered to have responsibility for arranging and entering into the redevelopment agreement under the Act shall be:

1. The Township of Edison Council if the redevelopment agreement requires approval or appropriation from the Council or a public officer who is responsible for arranging and entering into the redevelopment agreement if that public officer is appointed by Council; or

2. The Mayor of Edison Township if the redevelopment agreement requires the approval of the Mayor or a public officer who is responsible for arranging and entering into the redevelopment agreement if that public officer is appointed by the Mayor; or

3. A designated redevelopment entity, if the redevelopment agreement requires the approval of the redevelopment entity.

4-11.2 Contributions Made Prior to the Effective Date.

No contribution of money or any other thing of value, including in-kind contributions, made by a redeveloper to any Edison Township candidate for Mayor or Edison Township Council or Edison Township political campaign committee shall be deemed a violation of this section nor shall an agreement for redevelopment projects of any kind whatsoever be disqualified thereby if that contribution or agreement was made by the redeveloper prior to the effective date of this section.
4-11.3 Notice Given by Municipality; Sworn Statement of Redeveloper.

a. It shall be the municipality's continuing responsibility to give notice of this section when the municipality gives notice of redevelopment pursuant to N.J.S.A. 40A:12A-6 and when the municipality adopts a resolution directing the Planning Board to prepare a redevelopment plan and at the time that the municipality adopts the ordinance to implement the redevelopment plan.

b. Prior to arranging and entering into the redevelopment agreement with any redeveloper, the Township of Edison or any of its purchasing agents or agencies or independent authorities, as the case may be, shall receive a sworn statement from the redeveloper that the redeveloper has not made any contribution in violation of subsection 4-11.1a. above. Furthermore, the redeveloper shall have a continuing duty to report any violations of this section that may occur while arranging and entering into the redevelopment agreement, and until all specified terms of the agreement have been completed. The sworn statement required under this section shall be made prior to entry into the agreement with the municipality and shall be in addition to any other certifications that may be required by any other provision of law.

4-11.4 Contribution Restrictions and Disclosure Requirement; Applicability to Consultants.

a. The contribution and disclosure requirements in this section shall apply to all redevelopers as well as professionals, consultants or lobbyists contracted or employed by the [business entity ultimately designated as] the redeveloper, as defined in 4-11.1(d), to provide services related to the:

1. Lobbying of government officials in connection with the examination of an area and its designation as an area in need of redevelopment or in connection with the preparation, consultation and adoption of the redevelopment plan;
2. Obtaining the designation or appointment as redeveloper;
3. Negotiating the terms of a redevelopment agreement or any amendments or modifications thereof; and/or
4. Performing the terms of a redevelopment agreement.

b. It shall be a breach of the consultant's contract, and shall require immediate termination, for a consultant to violate the contribution limits and/or disclosure requirements in this section.

c. A redeveloper who participates in, or facilitates, the circumvention of the contribution restrictions through consultants or professionals shall be deemed to be in breach.

4-11.5 Return of Excess Contributions.
A redeveloper or municipal candidate or officeholder or municipal or County party committee or PAC referenced in this section may cure a violation of subsection 4-11.1 and deemed not to be in breach, if, within thirty (30) days after the cited violation, the redeveloper notifies the Municipal Council in writing and seeks and receives reimbursement of a contribution from the municipal candidate or municipal or County political party or PAC referenced in this section.

4-11.6 Penalty.

a. It shall be a breach of the terms of the Township of Edison redevelopment agreement for a redeveloper to: 1. make or solicit a contribution in violation of this section; 2. knowingly conceal or misrepresent a contribution given or received; 3. make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; 4. make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee of any candidate or holder of the public office of Edison Township; 5. engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the redeveloper itself, would subject that entity to the restrictions of this section; 6. fund contributions made by third parties, including consultants, attorneys, family members, and employees; 7. engage in any exchange of contributions to circumvent the intent of this section; or 8. directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restrictions of this section.

b. Furthermore, any redeveloper who violates paragraph a.1. through a.8. above shall be disqualified from eligibility for future Edison Township redevelopment agreements for a period of four (4) calendar years from the date of the violation.

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

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

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

2. The Municipal Council hereby amends Chapter 4-8 and Chapter 4-11 of the Code to read as follows:

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

4-8 RESTRICTIONS ON POLITICAL CONTRIBUTIONS.

4-8.1 Prohibition on Awarding Public Contracts to Certain Contributors.
a. Any other provision of law to the contrary notwithstanding, the municipality or any of its purchasing agents or agencies or those of its independent authorities, as the case may be, shall not enter into an agreement or otherwise contract to procure professional, banking, insurance coverage services or any other consulting services, from any professional business entity, as defined in subsection d. below, if that entity has solicited or made any contribution of money, or pledge of a contribution, including in-kind contributions, to any Edison Township municipal candidate or holder of the public office having ultimate responsibility for the award of contract, or campaign committee supporting such candidate or officeholder, or to any Edison Township or Middlesex County party committee, or to any political action committee that regularly engages in the support of municipal elections and/or municipal parties (PAC) in excess of the thresholds specified in paragraph c. within one (1) calendar year before the date of the contract or agreement and for one year after termination.

b. No professional business entity, as defined in subsection d. below, which enters into negotiations for, or agrees to, any contract or agreement with the municipality or any department or agency thereof or of its independent authorities for the rendition of professional, banking or insurance coverage services or any other consulting service shall solicit or make any contribution of money, or pledge of a contribution, including in-kind contributions, to any Edison Township municipal candidate or holder of the public office having ultimate responsibility for the award of the contract, or campaign committee supporting such candidate or officeholder, or to any Edison Township or Middlesex County party committee, or to any PAC that regularly engages in the support of municipal elections and/or municipal parties for one (1) year from the time of first communications between that business entity and the Township regarding a specific professional services agreement.

c. 1. Subject to the limitations in 2. any entity meeting the definition of "professional business entity" in subsection d. below, as well as any PAC as referenced in this section, [under this section] may annually contribute a maximum of three hundred fifty ($350.00) dollars for any purpose to each candidate for Mayor, Council, or Edison Township Board of Education, four hundred ($400.00) dollars for any candidate for the Middlesex County Board of Chosen Freeholders, and five hundred ($500.00) dollars to each Edison Township or Middlesex County party committees, or to a PAC referenced in this section, without violating paragraph a. However, 2. any entity meeting the definition of "professional business entity" under this section, including such principals, partners, and officers of the entity in the aggregate, as well as any PAC as referenced in this section, may not annually contribute for any purpose in excess of a total of one thousand four hundred ($1,400.00) dollars to all Edison Township candidates and officeholders with ultimate responsibility for the award of the contract and all Edison Township, Edison Township Board of Education, Middlesex County Board of Chosen Freeholders or Middlesex County political parties and PACs referenced in this section combined, without violating paragraph a.

d. For purposes of this section, a "professional business entity" is an entity seeking or performing a public contract for professional, banking or insurance coverage services, any other consulting services, and any other businesses, builders, planners, consultants, developers, engineers or employees of an engineering firm, and attorneys representing persons doing business in the Township, and which may be an individual, including the individual’s spouse, if any, and any child living at home; a person; firm; corporation; professional corporation;
partnership; organization; or association. The definition of a business entity includes all principals who own five (5%) percent or more of the equity in the corporation or business trust, partners, and officers in the aggregate employed by the entity as well as any subsidiaries directly controlled by the business entity.

e. For the purpose of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be:

1. The Township of Edison Council and the Mayor of the Township of Edison, if the contract requires approval or appropriation from the Council.

2. The Mayor of the Township of Edison, if the contract requires approval of the Mayor, or if a public officer who is responsible for the award of the contract is appointed by the Mayor.

4-8.2 Contributions Made Prior to the Effective Date.

No contribution of money or any other thing of value, including in-kind contributions, made by a professional business entity to any municipal candidate for Mayor or Council, or municipal or County party committee or PAC referenced in this section shall be deemed a violation of this section, nor shall an agreement for property, goods, or services, of any kind whatsoever, be disqualified thereby, if that contribution was made by the professional business entity prior to the effective date of this section.

4-8.3 Contribution Statement by Professional Business Entity.

a. Prior to awarding any contract or agreement to procure professional services, or banking or insurance coverage services or any other consulting services, with any professional business entity, the township or any of its purchasing agents or agencies, as the case may be, shall receive a sworn statement from the professional business entity made under penalty of perjury that the bidder or offeror has not made a contribution within one year from the first communication about the contract, in violation of subsection 4-8.1.

b. The professional business entity shall have a continuing duty to report any violations of this section that may occur during the negotiation or duration of a contract. The certification required under this section shall be made prior to entry into the contract or agreement with the Township and shall be in addition to any other certifications that may be required by any other provision of law.

4-8.4 Return of Excess Contributions.

A professional business entity or Township candidate or officeholder or municipal or county party committee or PAC referenced in this section may cure a violation of subsection 4-8.1, if, within sixty (60) days after the contribution, the professional business entity notifies the Township Council in writing and seeks and receives reimbursement of a contribution from the Township candidate or municipal or County political party or PAC referenced in this section.

4-8.5 Penalty.
a. It shall be a breach of the terms of the Edison Township professional service agreement for a business entity to 1. make or solicit a contribution in violation of this section; 2. knowingly conceal or misrepresent a contribution given or received; 3. make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; 4. make or solicit any contribution on the condition or with the agreement that it will be contributed to campaign committee of any candidate or holder of the public office of Edison Township; 5. engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the business entity itself, would subject that entity to the restrictions of this section; 6. fund contributions made by third parties, including consultants, attorneys, family members, and employees; 7. engage in any exchange of contributions to circumvent the intent of this section; or 8. directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restrictions of this section.

b. Furthermore, any professional business entity who violates paragraph a. above shall be disqualified from eligibility for future Edison Township contracts for a period of four (4) calendar years from the date of the violation.

4-8.6 Contributions in Any Amount Prohibited.

a. Contributions in any amount are prohibited from the following individuals:

1. Any active member of a Township Board or Commission; and

2. Any current employee of the Township.

b. Any contribution made in violation of this section 4-8.6 shall subject the contributor to fine not to exceed the amount of the contribution.

4-11 REDEVELOPMENT PAY-TO-PLAY REFORM.

4-11.1 Prohibition of Entering into or Amending Redevelopment Agreements with Certain Contributors.

a. Any other provision of law to the contrary notwithstanding, the Township of Edison or any of its purchasing agents or agencies or those of its independent authorities, as the case may be, shall not enter into an agreement, amend an agreement, or otherwise contract with any redeveloper, as defined in subsection d. below, for the planning, re-planning, construction or undertaking of any redevelopment project, including the acquisition or leasing of any public property in conjunction with the redevelopment of any area within the Township of Edison pursuant to the Local Redevelopment and Housing Law, if that redeveloper has made any contribution of money or pledge of a contribution, including in-kind contributions, during the applicable time period as defined in subsection b. below, to a campaign committee of any Edison Township candidate or holder of public office within the Township of Edison having responsibility for arranging, entering into, or approving the redevelopment agreement, or for
appointing those who enter into the agreement on behalf of the Township of Edison or; to any municipal political campaign committee, or to any County party committee, or to any political action committee which regularly engages in the support of municipal elections and/or municipal parties or which engages in the support of Edison Township municipal campaigns (PAC).

b. For purposes of this section, the "applicable time period" shall be defined as the time period between the date that the property which is the subject of the redevelopment project has been included in a memorializing resolution adopted by the Governing Body directing the Planning Board to conduct a preliminary investigation to determine if the site is in need of redevelopment pursuant to and in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq., and the date of entering into the redevelopment agreement, or the twelve (12) months prior to entering into the agreement.

c. All redevelopment agreements or amendments thereto entered into by the Township of Edison shall contain a provision prohibiting redevelopers as defined in paragraph c. to solicit or make any contribution of money or pledge of a contribution including in-kind contributions, to any Edison Township candidate or holder of public office within the Township of Edison having responsibility for arranging, entering into, or approving the redevelopment agreement, or for appointing those who enter into the agreement on behalf of the Township of Edison or; to any Edison Township political campaign committee, or to any Edison Township or Middlesex County Party Committee, or to any political action committee which regularly engages in the support of municipal elections and/or municipal parties or which engages in the support of Edison Township municipal campaigns (PAC), between the time of first communication between that redeveloper and the municipality regarding a redevelopment project and the later of the termination of negotiations or the completion of all matters specified in the redevelopment agreement.

d. As defined in N.J.S.A. 40A:12A-3, a "redeveloper" means any person, firm, corporation or public body that shall enter into or propose to enter into a contract with a municipality or other redevelopment entity for the redevelopment or rehabilitation of an area in need of redevelopment, or an area in need of rehabilitation, or any part thereof, under the provisions of this section, or for any construction or other work forming part of a redevelopment or rehabilitation project. For the purposes of this section the definition of a redeveloper includes all principals who own five (5%) percent or more of the equity in the corporation or business trust, partners and officers in the aggregate employed by the provider as well as any affiliates or subsidiaries directly controlled by the redeveloper. Spouses and adult children at home shall also be included.

e. For the purposes of this section, the office that is considered to have responsibility for arranging and entering into the redevelopment agreement under the Act shall be:

1. The Township of Edison Council if the redevelopment agreement requires approval or appropriation from the Council or a public officer who is responsible for arranging and entering into the redevelopment agreement if that public officer is appointed by Council; or
2. The Mayor of Edison Township if the redevelopment agreement requires the approval of the Mayor or a public officer who is responsible for arranging and entering into the redevelopment agreement if that public officer is appointed by the Mayor; or

3. A designated redevelopment entity, if the redevelopment agreement requires the approval of the redevelopment entity.

4-11.2 Contributions Made Prior to the Effective Date.

No contribution of money or any other thing of value, including in-kind contributions, made by a redeveloper to any Edison Township candidate for Mayor or Edison Township Council or Edison Township political campaign committee shall be deemed a violation of this section nor shall an agreement for redevelopment projects of any kind whatsoever be disqualified thereby if that contribution or agreement was made by the redeveloper prior to the effective date of this section.

4-11.3 Notice Given by Municipality; Sworn Statement of Redeveloper.

a. It shall be the municipality's continuing responsibility to give notice of this section when the municipality gives notice of redevelopment pursuant to N.J.S.A. 40A:12A-6 and when the municipality adopts a resolution directing the Planning Board to prepare a redevelopment plan and at the time that the municipality adopts the ordinance to implement the redevelopment plan.

b. Prior to arranging and entering into the redevelopment agreement with any redeveloper, the Township of Edison or any of its purchasing agents or agencies or independent authorities, as the case may be, shall receive a sworn statement from the redeveloper that the redeveloper has not made any contribution in violation of subsection 4-11.1a. above. Furthermore, the redeveloper shall have a continuing duty to report any violations of this section that may occur while arranging and entering into the redevelopment agreement, and until all specified terms of the agreement have been completed. The sworn statement required under this section shall be made prior to entry into the agreement with the municipality and shall be in addition to any other certifications that may be required by any other provision of law.

4-11.4 Contribution Restrictions and Disclosure Requirement; Applicability to Consultants.

a. The contribution and disclosure requirements in this section shall apply to all redevelopers as well as professionals, consultants or lobbyists contracted or employed by the redeveloper, as defined in 4-11.1(d), to provide services related to the:

1. Lobbying of government officials in connection with the examination of an area and its designation as an area in need of redevelopment or in connection with the preparation, consultation and adoption of the redevelopment plan;

2. Obtaining the designation or appointment as redeveloper;

3. Negotiating the terms of a redevelopment agreement or any amendments or modifications thereof; and/or
4. Performing the terms of a redevelopment agreement.
   b. It shall be a breach of the consultant's contract, and shall require immediate termination, for a consultant to violate the contribution limits and/or disclosure requirements in this section.
   c. A redeveloper who participates in, or facilitates, the circumvention of the contribution restrictions through consultants or professionals shall be deemed to be in breach.

4-11.5 Return of Excess Contributions.

A redeveloper or municipal candidate or officeholder or municipal or County party committee or PAC referenced in this section may cure a violation of subsection 4-11.1 and deemed not to be in breach, if, within thirty (30) days after the cited violation, the redeveloper notifies the Municipal Council in writing and seeks and receives reimbursement of a contribution from the municipal candidate or municipal or County political party or PAC referenced in this section.

4-11.6 Penalty.
   a. It shall be a breach of the terms of the Township of Edison redevelopment agreement for a redeveloper to: 1. make or solicit a contribution in violation of this section; 2. knowingly conceal or misrepresent a contribution given or received; 3. make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution; 4. make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee of any candidate or holder of the public office of Edison Township; 5. engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the redeveloper itself, would subject that entity to the restrictions of this section; 6. fund contributions made by third parties, including consultants, attorneys, family members, and employees; 7. engage in any exchange of contributions to circumvent the intent of this section; or 8. directly or indirectly, through or by any other person or means, do any act which would subject that entity to the restrictions of this section.
   b. Furthermore, any redeveloper who violates paragraph a.1. through a.8. above shall be disqualified from eligibility for future Edison Township redevelopment agreements for a period of four (4) calendar years from the date of the violation.

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

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapter 4 of the Code shall remain unchanged and have full force and legal effect.

4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
5. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.
ORDINANCE O.2022-2018

EXPLANATION: This Ordinance authorizes the Mayor, or his authorized designee, to execute the Lease Agreement between the Township and Edison Sheltered Workshop, Inc., allowing for the organization’s use of the leased property.

WHEREAS, the Township of Edison, whose address is 100 Municipal Boulevard, Edison, NJ 08817 ("Township" or "Landlord"), and Edison Sheltered Workshop, Inc., an I.R.C. 501(c)(3) non-profit organization, whose present address is 328 Plainfield Avenue, Edison, New Jersey 08817 ("ESW" or "Tenant"), desire to enter into a Lease Agreement (the "Lease"), pursuant to the terms of which ESW will lease from the Township the building situated on 48 Ethel Road, located at Block 21, Lot 6.D (the "Property") in the Township; and

WHEREAS, pursuant to N.J.S.A. 40A:12-14 (c), the Township is authorized to lease the Property to ESW upon adoption of an ordinance by Municipal Council of the Township (the "Municipal Council"); and

WHEREAS, the Lease provides that ESW will be permitted to use the Property to provide vocational rehabilitation services to people with disabilities who are residents of Middlesex County and at least 16 years of age; and

WHEREAS, ESW will be required by the terms of the Lease to submit an annual report to the Township Business Administrator regarding their operations at the Property; and

WHEREAS, ESW will pay to the Township basic rent, additional rent and other required payments in consideration for the use of the Property; and

WHEREAS, the Municipal Council hereby authorizes and approves the Mayor, or his authorized designee, to execute the Lease, as more fully described and attached hereto, and made a part of this Ordinance by reference as Exhibit A.

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

1. The recitals are hereby incorporated as if restated herein in full.

2. The Lease, attached hereto as Exhibit A, is hereby approved and accepted. The Mayor, or his authorized designee, is authorized to execute the Lease on behalf of the Township in substantially the same form as the Lease attached hereto, with such additions, deletions and modifications as the Mayor, or his authorized designee, may determine necessary upon consultation with ESW.

3. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
4. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.
ORDINANCE O.2023-2018

EXPLANATION: An Ordinance amending the Township Code to incorporate revisions to the Township’s Affordable Housing Ordinance regarding inclusionary zoning and affordable housing set aside requirements.

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

WHEREAS, the Township’s Affordable Housing Ordinance of the Township Code of General Ordinances (the “Code”) provides certain inclusionary zoning and affordable housing requirements affecting residential zoning districts and other zoning districts; and

WHEREAS, the Township desires to maintain clarity and uniformity throughout the Code by amending Chapter 37 “Zoning,” subsection 37-50 “AHOZ-3 Affordable Housing District,” to read as follows: (additions are underlined and deletions are in [brackets])

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

37-50.3 Permitted Uses.

No building, structure or premises shall be used and no building or structure shall be erected or structurally altered except for the following uses:

a. Single-family detached houses subject to the same development regulations specified in the R-B district;

b. Townhouses subject to development regulations specified in the R-B-th district;

c. Multifamily dwelling and apartment houses subject to the following requirements:

1. Minimum Lot Size. No building which is intended or designed to be used, in whole or in part, as a garden apartment building shall be erected or constructed upon a lot containing an area of less than ten (10) acres; except that, if a zone boundary line passes through any lot of ten (10) acres or more with the result that the area available for garden apartment construction is less than ten (10) acres, such area of less ten (10) acres may be approved for garden apartment development; provided, however, that all other regulations pertaining to the erection or construction of the garden apartments shall be applied to and within the area permitting such construction, except that the calculation of the number of units to be constructed shall be based upon such acreage available for such construction.

2. Height. No apartment building shall have more than three (3) habitable stories or exceed fifty (50) feet in height.

3. Minimum Space Between Buildings. The minimum distance between buildings shall be one-half (1/2) the total average height of the two (2) buildings, except that the side to side minimum distance between buildings shall be twenty (20) feet.

4. Density. No more than ten (10) apartment units per acre shall be permitted for two-story apartment buildings and no more than twenty-five (25) apartment units per acre shall be permitted for three-story buildings.
5. Rooms. Each apartment unit in each apartment building shall contain separate bedroom, separate bathroom and separate kitchen/dining facilities. This provision shall not be interpreted to preclude efficiency apartments.

6. Landscaping. All areas of a garden apartment development not used for the construction of buildings, roads, accessways, parking areas or sidewalks shall be fully landscaped. Where a garden apartment development boundary line abuts a lot in a residential zone, which lot is not owned by the garden apartment developer, there shall not be cut, uprooted, destroyed or taken away any existing trees, shrubbery or other planting within the area of twenty (20) feet inside the boundary line of the garden development abutting a residential lot. If no adequate trees, shrubs or plantings exist in the twenty (20) foot area in the natural state of the premises before development, the area shall be provided with an adequate approved planting plan to provide a belt of screening within the twenty (20) foot area.

7. Interior Roads. All roads and other accessways within the garden apartment development shall be private roads, and be constructed with pavement and curbs within the established cartways. All roads and or drive aisles containing right-angle parking or angled parking on one or both sides of the road shall contain drive aisles of not less than twenty-four (24) feet in width. All access roads that do not contain angled parking shall comply with the current Residential Site Improvement Standards (N.J.A.C. 5:21) for the width of the cartway inclusive of any on-street parallel parking areas. All such construction, paving and curbing shall be completed in accordance with the subdivision regulations of Edison Township. All interior roads shall provide suitable access for ingress, egress and circulation for emergency vehicles, by providing additional width of drive aisles, adequate turning radius at corners and appropriate delineated Fire Lanes, subject to the review of the Edison Township Fire Department.

8. Parking. All parking shall be confined to the areas specifically designated on the site plan for that purpose. Parking area shall be paved and curbed and provided with an adequate system of stormwater drainage. No parking area (other than driveway parking spaces located in front of a garage) may be placed closer to a building than ten (10) feet. Parking areas may be constructed in the front, side and rear yards, but in no event closer than ten (10) feet to a lot line (other than driveway parking spaces located in front of a garage).

   (a) No principal building shall:
      (1) Be designed for or occupied by more than twenty (20) families;
      (2) Exceed two hundred ten (210) feet in length in its longest dimensions;
      (3) Allow or contain outside television antennas. All television antenna equipment shall be built into the building to eliminate individual antennas being erected upon the roof. This subsection shall not apply to a common antenna tower;
(b) No basement apartment units shall be permitted. For purposes of this section, a "basement unit" shall be defined as a unit having its finished floor elevation three (3) or more feet below the finish grade of the ground about the building.

10. Utilities. For all garden apartments, the applicant for the site plan approval shall arrange with the serving utilities for the underground installation of the utilities' distribution supply lines and service connections in accordance with the provisions of the applicable standard terms and conditions incorporated as part of its tariff on file with the State of New Jersey Board of Public Utility Commissioners and shall submit to the Planning Board prior to the granting of site plan approval a written instrument from each serving utility which shall evidence full compliance with the provisions of this section; provided, however, that sites which abut existing streets where overhead electric or telephone distribution supply lines have theretofore been installed on any portion of the streets involved may be supplied with electric and telephone service from the overhead lines or extensions, but the service connections from the utilities' overhead lines shall be installed underground.

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

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

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

   37-50.3 Permitted Uses.

   No building, structure or premises shall be used and no building or structure shall be erected or structurally altered except for the following uses:

   a. Single-family detached houses subject to the same development regulations specified in the R-B district;

   b. Townhouses subject to development regulations specified in the R-B-th district;

   c. Multifamily dwelling and apartment houses subject to the following requirements:

      1. Minimum Lot Size. No building which is intended or designed to be used, in whole or in part, as a garden apartment building shall be erected or constructed upon a lot containing an area of less than ten (10) acres; except that, if a zone boundary line passes through any lot of ten (10) acres or more with the result that the area available for garden apartment construction is less than ten (10) acres, such area of less ten (10) acres may be approved for garden apartment development; provided, however, that all other regulations pertaining to the erection or construction of the garden apartments shall be applied to and within the area permitting such construction, except that the calculation of the number of units to be constructed shall be based upon such acreage available for such construction.
2. Height. No apartment building shall have more than three (3) habitable stories or exceed fifty (50) feet in height.

3. Minimum Space Between Buildings. The minimum distance between buildings shall be one-half (1/2) the total average height of the two (2) buildings, except that the side to side minimum distance between buildings shall be twenty (20) feet.

4. Density. No more than ten (10) apartment units per acre shall be permitted for two-story apartment buildings and no more than twenty-five (25) apartment units per acre shall be permitted for three-story buildings.

5. Rooms. Each apartment unit in each apartment building shall contain separate bedroom, separate bathroom and separate kitchen/dining facilities. This provision shall not be interpreted to preclude efficiency apartments.

6. Landscaping. All areas of a garden apartment development not used for the construction of buildings, roads, accessways, parking areas or sidewalks shall be fully landscaped. Where a garden apartment development boundary line abuts a lot in a residential zone, which lot is not owned by the garden apartment developer, there shall not be cut, uprooted, destroyed or taken away any existing trees, shrubbery or other planting within the area of twenty (20) feet inside the boundary line of the garden development abutting a residential lot. If no adequate trees, shrubs or plantings exist in the twenty (20) foot area in the natural state of the premises before development, the area shall be provided with an adequate approved planting plan to provide a belt of screening within the twenty (20) foot area.

7. Interior Roads. All roads and other accessways within the garden apartment development shall be private roads, and be constructed with pavement and curbs within the established cartways. All roads and or drive aisles containing right-angle parking or angled parking on one or both sides of the road shall contain drive aisles of not less than twenty-four (24) feet in width. All access roads that do not contain angled parking shall comply with the current Residential Site Improvement Standards (N.J.A.C. 5:21) for the width of the cartway inclusive of any on-street parallel parking areas. All such construction, paving and curbing shall be completed in accordance with the subdivision regulations of Edison Township. All interior roads shall provide suitable access for ingress, egress and circulation for emergency vehicles, by providing additional width of drive aisles, adequate turning radius at corners and appropriate delineated Fire Lanes, subject to the review of the Edison Township Fire Department.

8. Parking. All parking shall be confined to the areas specifically designated on the site plan for that purpose. Parking area shall be paved and curbed and provided with an adequate system of stormwater drainage. No parking area (other than driveway parking spaces located in front of a garage) may be placed closer to a building than ten (10) feet. Parking areas may be constructed in the front, side and rear yards, but in no event closer than ten (10) feet to a lot line (other than driveway parking spaces located in front of a garage).

(a) No principal building shall:

1. Be designed for or occupied by more than twenty (20) families;

2. Exceed two hundred ten (210) feet in length in its longest dimensions;

3. Allow or contain outside television antennas. All television antenna equipment shall be built into the building to eliminate individual antennas being erected upon the roof. This subsection shall not apply to a common antenna tower;

(b) No basement apartment units shall be permitted. For purposes of this section, a "basement unit" shall be defined as a unit having its finished floor elevation three (3) or more feet below the finish grade of the ground about the building.

10. Utilities. For all garden apartments, the applicant for the site plan approval shall arrange with the serving utilities for the underground installation of the utilities' distribution supply lines and service connections in accordance with the provisions of the applicable standard terms and conditions incorporated as part of its tariff on file with the State of New Jersey Board of Public Utility Commissioners and shall submit to the Planning Board prior to the granting of site plan approval a written instrument from each serving utility which shall evidence full compliance with the provisions of this section; provided, however, that sites which abut existing streets where overhead electric or telephone distribution supply lines have theretofore been installed on any portion of the streets involved may be supplied with electric and telephone service from the overhead lines or extensions, but the service connections from the utilities' overhead lines shall be installed underground.

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapters 37 of the Code shall remain unchanged.

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

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

6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.
EXPLANATION: An Ordinance amending the Township Code Chapter 15-3 “Abandoned and Vacant Properties, Registration and Maintenance,” to incorporate certain revisions to the regulation of abandoned properties within the Township.

EDISON TOWNSHIP

ORDINANCE O.2024-2018

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

WHEREAS, abandoned properties potentially create a wide range of problems including fostering criminal activity, creating public health problems, diminishing the quality of life for residents and businesses in the general area, increasing the risk of property damage to adjacent property owners through arson and vandalism and discouraging neighborhood stability and revitalization, diminishing property values of neighboring properties and, for those reasons, are presumptively considered to be nuisances; and

WHEREAS, it is in the public interest for the Township to establish a mechanism to identify and track vacant and abandoned properties which are in foreclosure, to establish standards and for the maintenance of those properties and to enforce those standards; and

WHEREAS, the Township Code of General Ordinances (the “Code”) currently sets forth regulations for the registration and maintenance of abandoned properties within the Township; and

WHEREAS, the Township desires to amend Chapter 15-3 of the Code, entitled “Abandoned and Vacant Properties, Registration and Maintenance,” to reflect revisions to these regulations; and

WHEREAS, the Municipal Council of the Township (“Municipal Council”) has determined to amend Chapter 15-3 of the Code to read as follows (additions are underlined and deletions are in [brackets]):

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

15-3 ABANDONED AND VACANT PROPERTIES, REGISTRATION AND MAINTENANCE.

15-3.1 Definition of Terms.

The following terms, wherever used herein or referred to in this section, shall have the respected meanings assigned to them, unless a different meaning clearly appears from the context; as used in this section:
**Creditor** shall mean a State chartered bank, savings bank, savings and loan association or credit union, any person or entity required to be licensed under the provisions of the “New Jersey Residential Mortgage Act,” P.L. 2009, c.53 (C.17:11C-51 et seq.), any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, Sec. 17, as amended from time to time) and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers.

**Exterior of premises** shall mean those portions of a structure which are exposed to public view or are visible from adjoining or adjacent lots, including all outside surfaces and appurtenances thereto, and the open land space of any premises outside of any building or structure erected thereon, including vacant lots.

**Nuisance** shall mean:

a. Any public or private condition that would constitute a nuisance according to the statutes, laws and regulations of the State of New Jersey, its governmental agencies or the ordinances of the Township.

b. Any physical condition existing in or on the exterior of any premises which is potentially dangerous, detrimental or hazardous to the life, health or safety of persons on, near or passing within the proximity of the premises where the condition exists.

**Operator** shall mean any person, persons or entity not the owner, but including any agent of the owner, who has charge, possession, custody, care or control of a dwelling or premises or a part thereof.

**Owner** shall mean any person, persons or entity who shall have legal or equitable title in any form whatsoever to any premises or part thereof, including any fiduciary, trustee, receiver, guardian or mortgagee in possession. Any lessee, sublessee or assignee of a lessee of any part of any premises shall be deemed an “owner” with respect to that portion of the premises sublet, leased or assigned.

**Premises** shall mean a lot, plot or parcel of land, right-of-way or multiples thereof, including the building or structures thereon.

**Public Officer** shall mean the individual designated by the Township, in accordance with N.J.S.A. 55:19-80.

**Refuse or rubbish** shall mean all discarded, useless, unusable, unused or worthless solid waste matter or materials, combustible or noncombustible, including but not limited to garbage, trash, ashes, paper, paper goods and products, wrappings, cans, bottles, containers, yard clippings, garden waste, debris, junk, glass, boxes, crockery, wood, plastic, rubber, leather, furniture, household goods, appliances, bedding, scrap lumber, scrap metal, construction material, inoperable machinery or parts thereof, garden or farming implements and supplies, dead or rotting vegetation, tires and abandoned, inoperative or unusable automobiles and vehicles and solid commercial or industrial waste. Anything herein to the contrary notwithstanding, a compost pile free of discarded foodstuffs shall not be deemed to be “refuse” or “rubbish.”
Unregistered motor vehicle shall mean a motor vehicle without a valid and current State inspection sticker.

Vacant property shall mean any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased, and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation; provided however, that any property that contains all building systems in working order and is being actively marketed by its owner for sale or rental, shall not be deemed vacant. Residential properties that meet the aforementioned criteria and are subject to a summons and complaint in an action for foreclosure shall be deemed vacant property in accordance with P.L. 2014, c. 35. Property deemed to be “abandoned property” in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall also be deemed to be vacant property for purposes of this section.

Vacant and abandoned residential property shall mean a residential property which is not occupied and at least two of the following conditions exist:

- a) Overgrown or neglected vegetation;
- b) The accumulation of the newspapers, circulars, flyers or mails on the property;
- c) Disconnected gas, electric, or water utility services to the property;
- d) The accumulation of hazardous, noxious, or unhealthy substances or material on the property;
- e) The accumulation of junk, liter, trash or debris on the property;
- f) The absence of window treatment such as blinds, curtains or shutters;
- g) The absences of furnishings and personal items;
- h) Statements of neighbors, association management, delivery person or government employee indicating that the residence is vacant and abandoned;
- i) Window or entrances to the property that are boarded up or closed off or multiple panes that are damaged, broken and unrepaired;
- j) Doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- k) A risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
- l) An uncorrected violation of the municipal building, housing, or similar code during preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- m) The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
n) A written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property;

o) Any responsible indicia of abandonment.

15-3.2 Creation of Abandoned Property List.

The Public Officer is directed to identify abandoned property for the purpose of creating an “abandoned property list” throughout the Township. Each item of abandoned property so identified shall include the tax block and lot number, the name and address of the owner of record, if known, the street address of the lot and the basis for a determination that the property is abandoned.

15-3.3 General Requirements.

a. Sixty (60) days after the effective date of this section or thirty (30) days after a building or lot becomes abandoned as defined within this section, the owner shall file a registration statement for each such abandoned property with the Public Officer, on forms provided by the Public Officer for such purposes. The registration shall remain valid for one (1) year. The owner shall be required to renew the registration annually as long as the building or lot continues to be abandoned as defined herein and shall pay a registration or renewal fee in the amount prescribed within this section.

b. The owner shall notify the Public Officer within thirty (30) days of any change in the registration information by filing an amended registration statement on a form provided by the Public Officer for such purpose.

c. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township of Edison against the owner or owners of the property.

15-3.4 Registration for Abandoned and Vacant Property Owners.

a. The owner of abandoned and vacant properties shall provide the following information to the Public Officer on the registration form or form(s) prescribed by the Public Officer:

1. Name, address, email address and contact telephone number of the owner; the owner's address must include a street address; a post office box is not acceptable;

2. Name, address, email address and contact telephone number of any local agent(s) or representative for the building or lot;

3. Name, address, email address and contact telephone number of the person assigned to the property for the security and maintenance of the building or lot;

4. Common address and Tax Assessor's block and lot designation of the building or lot;

5. The date on which the building became abandoned;

6. Proof of utility (gas, electric, water) connections or disconnections; and
7. Any other information reasonably required by the Township to ensure the safety of all persons and to prevent neglect.

b. Any government entity that owns abandoned property will be exempt from the provisions of this subsection. For purposes of this section, the holder of a Federal Housing Administration (“FHA”) mortgage, United States Housing and Urban Development (“HUD”) mortgage, or any other federally insured mortgage shall not be considered a government entity and shall not be exempt from the provisions of this section. The owner of any property that is acquired by the owner through the foreclosure of a FHA mortgage, HUD mortgage or any other federally insured mortgage shall also not be exempt from the provisions of this section.

c. By designating an authorized agent under the provisions of this subsection, the owner consents to receive any and all notices of code violations concerning the registered abandoned property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered abandoned property by service of the notice of process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the Township of a change of an authorized agent or until the owner files a new annual registration statement.

d. The owner is required to update the form within thirty (30) days of a change of any information contained within the form.

e. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township of Edison against the owner or owners of the abandoned property.

f. The Public Officer may identify abandoned properties through his/her routine inspection process as well as through notification by residents, or other community groups that a property may be eligible for inclusion on the registry. Notice will be served upon, or sent by mail, to the owner and will be deemed received by the owner, upon personal delivery; or five (5) days after service by first class mail.

15-3.5 Registration for Vacant and Abandoned Property Creditors.

a. Every creditor filing an action to foreclose on a mortgage of any residential property within the Township shall, within ten (10) days thereof, notify the Township Clerk for the Township in writing by mail of said filing. (See N.J.S.A. 46:10B-51). The notice shall also include the street address, lot and block number of the property, and the full name and contact information of an individual located within the State who is authorized to accept service on behalf of the creditor.

b. The notice shall also contain the name and contact information of the representative of the creditor who is responsible for receiving complaints of property maintenance and code violations. In the event the creditor that has served a summons and complaint in an action to foreclose on a residential property is located out-of-State, the notice shall also contain the full name and contact information of an in-State representative or agent who shall be responsible for the care, maintenance, security and upkeep of the exterior of the property if it becomes vacant and abandoned.
1. A creditor filing a summons and complaint in an action to foreclose on a vacant and abandoned property, or a creditor who has previously filed a summons and complaint to foreclose on a residential property which subsequently becomes vacant and abandoned, shall within thirty (30) calendar days after the building becomes vacant and abandoned or within thirty (30) calendar days after assuming ownership of the vacant and abandoned property, whichever is earlier; or within ten (10) calendar days of receipt of notice from the Township, and annually thereafter, file a registration statement for such vacant and abandoned property with the Public Officer consistent with subsection 15-3.4a, of this section, for such purposes. Any failure to receive notice from the Township shall not constitute grounds for failing to register the vacant and abandoned property.

2. Each vacant and abandoned property having a separate block and lot number as designated in the official tax maps of the Township shall be registered separately.

3. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person twenty-one (21) years or older, designated by the creditor as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such creditor in connection with the enforcement of any applicable code.

4. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the abandoned and vacant property. The individual or representative of the firm responsible for maintaining the abandoned and vacant property shall be available by telephone or in person on a twenty-four (24) hour per day, seven (7) day per week basis. The two (2) entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.

5. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31st of the year in which it was filed. The creditor shall be required to renew the registration annually as long as the building remains vacant and abandoned and shall pay a registration or renewal fee in the amount prescribed in subsection 15-3.7 for each vacant and abandoned property registered.

6. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than ten (10) months prior to that date.

7. The creditor shall notify the Municipal Clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Municipal Clerk for such purpose.

8. The registration statements shall be deemed prima facie proof of the statements therein contained in any administrative enforcement processing or court proceeding instituted by the Township against the creditor.
15-3.[5]6 Abandoned Property Inspection.

After filing a registration statement or a renewal of a registration statement and upon reasonable notice, the owner and/or creditor of any abandoned property shall provide access to the Township to conduct an exterior and interior inspection of the building to determine compliance with the Municipal Code, during the period covered by the initial registration or any subsequent renewal.

15-3.[6]7 Requirements for Owners and/or Creditors of Abandoned Properties.

a. The owner and/or creditor of any abandoned property, shall immediately upon possession or the filing of a summons and complaint in an action to foreclose on a residential property within the Township be immediately responsible for the care, maintenance, security and upkeep of the exterior of the property, after the property becomes vacant and abandoned and shall:

1. Enclose and secure the building against unauthorized entry in accordance with the applicable provisions of the Code of the Township of Edison and as per the specifications established by the Department of Housing and Urban Development (“HUD”) for securing abandoned and/or vacant properties.

2. Post a sign affixed to the building indicating the name, address and telephone number of the owner, owner's authorized agent for the purpose of service of process (if designated pursuant to this section) and a New Jersey resident responsible for day-to-day supervision and management of the property, if such person is different from the owner or authorized agent. The sign shall be of a size and placed in such a location so as to be visible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 8” x 10” and shall state “WARNING: THIS BUILDING IS SECURED PURSUANT TO CHAPTER 15 OF THE TOWNSHIP OF EDISON REVISED GENERAL ORDINANCES. ANYONE ENTERING THIS BUILDING WITHOUT AUTHORIZATION WILL BE SUBJECT TO ARREST.”

3. Secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the property is complete.

4. Ensure that all bushes and trees are trimmed and that they do not interfere with neighboring properties.

5. Ensure that grass does not exceed eight (8) inches in height and that all grass clippings are removed from the lot when the grass is cut.

6. Lots must be clear of all garbage, litter and debris. Abandoned properties must be clear of all vehicles: cars, boats, campers, etc.

7. All sidewalks bordering abandoned properties must be maintained and be cleared of snow, ice, tripping hazards, obstructions, garbage, litter and debris.

8. The owner and/or creditor shall perform regular weekly inspections of the abandoned property to ensure compliance with the requirements of this section.
9. The owner and/or creditor shall maintain a property insurance policy for each registered property. Buildings with fewer than four (4) residential units are required to be insured at a minimum of $300,000.00. All other properties must be insured at a minimum of $1,000,000.00.

b. If the owner and/or creditor of the abandoned property fails to comply with all provisions of section, the Township shall take the necessary steps to bring the property into compliance with this section. All costs incurred by the Township in connection with its efforts to bring the property into compliance shall be forwarded to the Tax Collector for inclusion as a municipal lien on the property.

15-3.[7]8 Fees, Penalties, and Enforcement.

a. The initial registration fee for each abandoned property shall be [five hundred ($500.00)] one thousand ($1,000.00) dollars. The fee for a second year renewal shall be [one thousand ($1,000.00)] two thousand ($2,000.00) dollars, and three thousand ($3,000.00) dollars for each subsequent year thereafter. The registration shall remain valid for one (1) year from the date of registration except for the initial registration which shall be valid through December 31st of the year in which it was filed. The owner and/or creditor shall be required to renew the registration annually as long as the building remains vacant and abandoned and shall pay a registration or renewal fee in the amount prescribed in paragraph b. of this subsection for each vacant and abandoned property registered. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than ten (10) months prior to that date.

b. Any owner who is not in full compliance with this section or who otherwise violates any provision of this section or of the rules and regulations issued hereunder shall be subject to a fine of not less than [two hundred fifty ($250.00)] five hundred ($500.00) dollars and not more than [one thousand ($1,000.00)] two-thousand five hundred ($2,500.00) dollars. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this section shall be recoverable from the owner and shall be a lien on the property.

c. For purposes of this section, failure to file a registration statement in time, failure to provide correct information on the registration statement, and/or failure to comply with any other provisions of this section shall be deemed to be a violation hereunder.

d. The Public Officer shall be authorized to issue a notice to an owner and/or creditor that has filed a summons and complaint in an action to foreclose on a residential property within the Township, if the Public Officer determines that the owner and/or creditor has failed to provide for the care, maintenance, security, and/or upkeep of a vacant property.

e. Where an owner and/or creditor is an out-of-State owner and/or creditor, the notice shall be issued to the representative or agent that has been identified by the owner and/or creditor pursuant to subsection 15-3.3a-b. of this section.

f. The notice referenced in paragraph d. of this subsection shall require the owner and/or creditor to correct the violation within twenty (20) days of receipt of the notice, or within five (5)
days of receipt of the notice if the violation presents an imminent threat to public health and safety.

g. The issuance of notice pursuant to paragraph d. of this subsection shall constitute proof that a residential property is vacant and abandoned for the purposes of this section.

h. An entity designated as a redeveloper pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., may apply for a registration fee exemption if all approved plans for the property comply with Township regulations, and development has been delayed as a result of project financing applications.

i. Any fee collected pursuant to subsection a. above shall be utilized by the Township for the further maintenance and regulation of abandoned properties.

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

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

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

2. The Municipal Council hereby amends Chapter 27-9 of the Code, entitled “Township Council” to read as follows:

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

15-3 ABANDONED AND VACANT PROPERTIES, REGISTRATION AND MAINTENANCE.

15-3.1 Definition of Terms.

The following terms, wherever used herein or referred to in this section, shall have the respected meanings assigned to them, unless a different meaning clearly appears from the context; as used in this section:

*Credit*or shall mean a State chartered bank, savings bank, savings and loan association or credit union, any person or entity required to be licensed under the provisions of the “New Jersey Residential Mortgage Act,” P.L. 2009, c.53 (C.17:11C-51 et seq.), any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, Sec. 17, as amended from time to time) and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers.

*Exterior of premises* shall mean those portions of a structure which are exposed to public view or are visible from adjoining or adjacent lots, including all outside surfaces and appurtenances thereto, and the open land space of any premises outside of any building or structure erected thereon, including vacant lots.
**Nuisance** shall mean:

a. Any public or private condition that would constitute a nuisance according to the statutes, laws and regulations of the State of New Jersey, its governmental agencies or the ordinances of the Township.

b. Any physical condition existing in or on the exterior of any premises which is potentially dangerous, detrimental or hazardous to the life, health or safety of persons on, near or passing within the proximity of the premises where the condition exists.

**Operator** shall mean any person, persons or entity not the owner, but including any agent of the owner, who has charge, possession, custody, care or control of a dwelling or premises or a part thereof.

**Owner** shall mean any person, persons or entity who shall have legal or equitable title in any form whatsoever to any premises or part thereof, including any fiduciary, trustee, receiver, guardian or mortgagee in possession. Any lessee, sublesseeor assignee of a lessee of any part of any premises shall be deemed an “owner” with respect to that portion of the premises sublet, leased or assigned.

**Premises** shall mean a lot, plot or parcel of land, right-of-way or multiples thereof, including the building or structures thereon.

**Public Officer** shall mean the individual designated by the Township, in accordance with N.J.S.A. 55:19-80.

**Refuse or rubbish** shall mean all discarded, useless, unusable, unused or worthless solid waste matter or materials, combustible or noncombustible, including but not limited to garbage, trash, ashes, paper, paper goods and products, wrappings, cans, bottles, containers, yard clippings, garden waste, debris, junk, glass, boxes, crockery, wood, plastic, rubber, leather, furniture, household goods, appliances, bedding, scrap lumber, scrap metal, construction material, inoperable machinery or parts thereof, garden or farming implements and supplies, dead or rotting vegetation, tires and abandoned, inoperative or unusable automobiles and vehicles and solid commercial or industrial waste. Anything herein to the contrary notwithstanding, a compost pile free of discarded foodstuffs shall not be deemed to be “refuse” or “rubbish.”

**Unregistered motor vehicle** shall mean a motor vehicle without a valid and current State inspection sticker.

**Vacant property** shall mean any building used or to be used as a residence which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased, and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation; provided however, that any property that contains all building systems in working order and is being actively marketed by its owner for sale or rental, shall not be deemed vacant. Residential properties that meet the aforementioned criteria and are subject to a summons and complaint in an action for foreclosure shall be deemed vacant property in accordance with P.L. 2014, c. 35. Property deemed to be “abandoned property” in accordance with the meaning of such term in the Abandoned
Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., shall also be deemed to be vacant property for purposes of this section.

**Vacant and abandoned residential property** shall mean a residential property which is not occupied and at least two of the following conditions exist:

- a) Overgrown or neglected vegetation;
- b) The accumulation of the newspapers, circulars, flyers or mails on the property;
- c) Disconnected gas, electric, or water utility services to the property;
- d) The accumulation of hazardous, noxious, or unhealthy substances or material on the property;
- e) The accumulation of junk, liter, trash or debris on the property;
- f) The absence of window treatment such as blinds, curtains or shutters;
- g) The absences of furnishings and personal items;
- h) Statements of neighbors, association management, delivery person or government employee indicating that the residence is vacant and abandoned;
- i) Window or entrances to the property that are boarded up or closed off or multiple panes that are damaged, broken and unrepaired;
- j) Doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- k) A risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
- l) An uncorrected violation of the municipal building, housing, or similar code during preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- m) The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- n) A written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property;
- o) Any responsible indicia of abandonment.

**15-3.2 Creation of Abandoned Property List.**

The Public Officer is directed to identify abandoned property for the purpose of creating an “abandoned property list” throughout the Township. Each item of abandoned property so identified shall include the tax block and lot number, the name and address of the owner of record, if known, the street address of the lot and the basis for a determination that the property is abandoned.
15-3.3 General Requirements.

a. Sixty (60) days after the effective date of this section or thirty (30) days after a building or lot becomes abandoned as defined within this section, the owner shall file a registration statement for each such abandoned property with the Public Officer, on forms provided by the Public Officer for such purposes. The registration shall remain valid for one (1) year. The owner shall be required to renew the registration annually as long as the building or lot continues to be abandoned as defined herein and shall pay a registration or renewal fee in the amount prescribed within this section.

b. The owner shall notify the Public Officer within thirty (30) days of any change in the registration information by filing an amended registration statement on a form provided by the Public Officer for such purpose.

c. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township of Edison against the owner or owners of the property.

15-3.4 Registration for Abandoned and Vacant Property Owners.

a. The owner of abandoned and vacant properties shall provide the following information to the Public Officer on the registration form or form(s) prescribed by the Public Officer:

1. Name, address, email address and contact telephone number of the owner; the owner's address must include a street address; a post office box is not acceptable;
2. Name, address, email address and contact telephone number of any local agent(s) or representative for the building or lot;
3. Name, address, email address and contact telephone number of the person assigned to the property for the security and maintenance of the building or lot;
4. Common address and Tax Assessor's block and lot designation of the building or lot;
5. The date on which the building became abandoned;
6. Proof of utility (gas, electric, water) connections or disconnections; and
7. Any other information reasonably required by the Township to ensure the safety of all persons and to prevent neglect.

b. Any government entity that owns abandoned property will be exempt from the provisions of this subsection. For purposes of this section, the holder of a Federal Housing Administration (“FHA”) mortgage, United States Housing and Urban Development (“HUD”) mortgage, or any other federally insured mortgage shall not be considered a government entity and shall not be exempt from the provisions of this section. The owner of any property that is acquired by the owner through the foreclosure of a FHA mortgage, HUD mortgage or any other federally insured mortgage shall also not be exempt from the provisions of this section.
c. By designating an authorized agent under the provisions of this subsection, the owner consents to receive any and all notices of code violations concerning the registered abandoned property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered abandoned property by service of the notice of process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the Township of a change of an authorized agent or until the owner files a new annual registration statement.

d. The owner is required to update the form within thirty (30) days of a change of any information contained within the form.

e. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township of Edison against the owner or owners of the abandoned property.

f. The Public Officer may identify abandoned properties through his/her routine inspection process as well as through notification by residents, or other community groups that a property may be eligible for inclusion on the registry. Notice will be served upon, or sent by mail, to the owner and will be deemed received by the owner, upon personal delivery; or five (5) days after service by first class mail.

15-3.5 Registration for Vacant and Abandoned Property Creditors.

a. Every creditor filing an action to foreclose on a mortgage of any residential property within the Township shall, within ten (10) days thereof, notify the Township Clerk for the Township in writing by mail of said filing. (See N.J.S.A. 46:10B-51). The notice shall also include the street address, lot and block number of the property, and the full name and contact information of an individual located within the State who is authorized to accept service on behalf of the creditor.

b. The notice shall also contain the name and contact information of the representative of the creditor who is responsible for receiving complaints of property maintenance and code violations. In the event the creditor that has served a summons and complaint in an action to foreclose on a residential property is located out-of-State, the notice shall also contain the full name and contact information of an in-State representative or agent who shall be responsible for the care, maintenance, security and upkeep of the exterior of the property if it becomes vacant and abandoned.

1. A creditor filing a summons and complaint in an action to foreclose on a vacant and abandoned property, or a creditor who has previously filed a summons and complaint to foreclose on a residential property which subsequently becomes vacant and abandoned, shall within thirty (30) calendar days after the building becomes vacant and abandoned or within thirty (30) calendar days after assuming ownership of the vacant and abandoned property, whichever is earlier; or within ten (10) calendar days of receipt of notice from the Township, and annually thereafter, file a registration statement for such vacant and abandoned property with the Public Officer consistent with subsection 15-3.4a, of this section, for such purposes. Any failure to receive notice from the Township shall not constitute grounds for failing to register the vacant and abandoned property.
2. Each vacant and abandoned property having a separate block and lot number as designated in the official tax maps of the Township shall be registered separately.

3. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person twenty-one (21) years or older, designated by the creditor as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such creditor in connection with the enforcement of any applicable code.

4. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the abandoned and vacant property. The individual or representative of the firm responsible for maintaining the abandoned and vacant property shall be available by telephone or in person on a twenty-four (24) hour per day, seven (7) day per week basis. The two (2) entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.

5. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31st of the year in which it was filed. The creditor shall be required to renew the registration annually as long as the building remains vacant and abandoned and shall pay a registration or renewal fee in the amount prescribed in subsection 15-3.7 for each vacant and abandoned property registered.

6. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than ten (10) months prior to that date.

7. The creditor shall notify the Municipal Clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Municipal Clerk for such purpose.

8. The registration statements shall be deemed prima facie proof of the statements therein contained in any administrative enforcement processing or court proceeding instituted by the Township against the creditor.

15-3.6 Abandoned Property Inspection.

After filing a registration statement or a renewal of a registration statement and upon reasonable notice, the owner and/or creditor of any abandoned property shall provide access to the Township to conduct an exterior and interior inspection of the building to determine compliance with the Municipal Code, during the period covered by the initial registration or any subsequent renewal.

15-3.7 Requirements for Owners and/or Creditors of Abandoned Properties.
a. The owner and/or creditor of any abandoned property, shall immediately upon possession or the filing of a summons and complaint in an action to foreclose on a residential property within the Township be immediately responsible for the care, maintenance, security and upkeep of the exterior of the property, after the property becomes vacant and abandoned and shall:

1. Enclose and secure the building against unauthorized entry in accordance with the applicable provisions of the Code of the Township of Edison and as per the specifications established by the Department of Housing and Urban Development (“HUD”) for securing abandoned and/or vacant properties.

2. Post a sign affixed to the building indicating the name, address and telephone number of the owner, owner's authorized agent for the purpose of service of process (if designated pursuant to this section) and a New Jersey resident responsible for day-to-day supervision and management of the property, if such person is different from the owner or authorized agent. The sign shall be of a size and placed in such a location so as to be visible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 8” x 10” and shall state “WARNING: THIS BUILDING IS SECURED PURSUANT TO CHAPTER 15 OF THE TOWNSHIP OF EDISON REVISED GENERAL ORDINANCES. ANYONE ENTERING THIS BUILDING WITHOUT AUTHORIZATION WILL BE SUBJECT TO ARREST.”

3. Secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the property is complete.

4. Ensure that all bushes and trees are trimmed and that they do not interfere with neighboring properties.

5. Ensure that grass does not exceed eight (8) inches in height and that all grass clippings are removed from the lot when the grass is cut.

6. Lots must be clear of all garbage, litter and debris. Abandoned properties must be clear of all vehicles: cars, boats, campers, etc.

7. All sidewalks bordering abandoned properties must be maintained and be cleared of snow, ice, tripping hazards, obstructions, garbage, litter and debris.

8. The owner and/or creditor shall perform regular weekly inspections of the abandoned property to ensure compliance with the requirements of this section.

9. The owner and/or creditor shall maintain a property insurance policy for each registered property. Buildings with fewer than four (4) residential units are required to be insured at a minimum of $300,000.00. All other properties must be insured at a minimum of $1,000,000.00.

b. If the owner and/or creditor of the abandoned property fails to comply with all provisions of section, the Township shall take the necessary steps to bring the property into compliance with this section. All costs incurred by the Township in connection with its efforts to
bring the property into compliance shall be forwarded to the Tax Collector for inclusion as a municipal lien on the property.

15-3.8 Fees, Penalties, and Enforcement.

a. The initial registration fee for each abandoned property shall be one thousand ($1,000.00) dollars. The fee for a second year renewal shall be two thousand ($2,000.00) dollars, and three thousand ($3,000.00) dollars for each subsequent year thereafter. The registration shall remain valid for one (1) year from the date of registration except for the initial registration which shall be valid through December 31st of the year in which it was filed. The owner and/or creditor shall be required to renew the registration annually as long as the building remains vacant and abandoned and shall pay a registration or renewal fee in the amount prescribed in paragraph b. of this subsection for each vacant and abandoned property registered. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than ten (10) months prior to that date.

b. Any owner who is not in full compliance with this section or who otherwise violates any provision of this section or of the rules and regulations issued hereunder shall be subject to a fine of not less than five hundred ($500.00) dollars and not more than two-thousand five hundred ($2,500.00) dollars. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this section shall be recoverable from the owner and shall be a lien on the property.

c. For purposes of this section, failure to file a registration statement in time, failure to provide correct information on the registration statement, and/or failure to comply with any other provisions of this section shall be deemed to be a violation hereunder.

d. The Public Officer shall be authorized to issue a notice to an owner and/or creditor that has filed a summons and complaint in an action to foreclose on a residential property within the Township, if the Public Officer determines that the owner and/or creditor has failed to provide for the care, maintenance, security, and/or upkeep of a vacant property.

e. Where an owner and/or creditor is an out-of-State owner and/or creditor, the notice shall be issued to the representative or agent that has been identified by the owner and/or creditor pursuant to subsection 15-3.3a-b. of this section.

f. The notice referenced in paragraph d. of this subsection shall require the owner and/or creditor to correct the violation within twenty (20) days of receipt of the notice, or within five (5) days of receipt of the notice if the violation presents an imminent threat to public health and safety.

g. The issuance of notice pursuant to paragraph d. of this subsection shall constitute proof that a residential property is vacant and abandoned for the purposes of this section.

h. An entity designated as a redeveloper pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., may apply for a registration fee exemption if all approved plans for the property comply with Township regulations, and development has been delayed as a result project financing applications.
i. Any fee collected pursuant to subsection a. above shall be utilized by the Township for the further maintenance and regulation of abandoned properties.

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

3. It is the intent of the Municipal Council to incorporate the additions, amendments and/or supplements contained in this Ordinance into the Code. All of the remaining provisions in Chapter 15 of the Code shall remain unchanged and have full force and legal effect.

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

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

6. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.
RESOLUTION R-460-092018

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING SEPTEMBER 6, 2018

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through September 6, 2018

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/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.461-092018

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 $225,574.70.
RESOLUTION R.462-092018

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 $54,076.31.
RESOLUTION R.463-092018

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 $449.95, and that this Resolution shall take effect immediately.
RESOLUTION R.464-092018

Authorizing a tax exemption/refund for a disabled veteran for 5 Comstock Rd.

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, Miriam Soto-Quinones 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 July 17, 2017; and

WHEREAS, real estate taxes on this property known as Block 1145 Lot 25, 5 Comstock Rd, have been billed for 2017 and 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 July 17, 2017 to December 31, 2017; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison that property taxes due on 1145 Lot 25, assessed to Miriam Soto-Quinones, be cancelled for the fourth quarter of 2018 and also refunded for the municipal property taxes already paid for the time period of from January 1, 2018 thru September 30, 2018 in the amount of $5,022.52 and for the property taxes paid in prior year(s) from July 17, 2017 to December 31, 2017 in the amount of $3069.65; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the Township of Edison draw a check to the order of Miriam Soto-Quinones for taxes already paid during the applicable exemption periods set forth above in the total amount of $8,092.17.
RESOLUTION R.465-092018
Authorizing Overpayment Refund caused by Successful Tax Court Appeal with Freeze Act provision

WHEREAS, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council’s resolution R.248-052018:

<table>
<thead>
<tr>
<th>TAXPAYER</th>
<th>ARCHLAND PROP I,LLC C/O DAMIANO MGT</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROPERTY LOCATION</td>
<td>182 LAFAYETTE AVE</td>
</tr>
<tr>
<td>BLOCK / LOT / QUALIFIER</td>
<td>691.B/6.S</td>
</tr>
<tr>
<td>DOCKET NUMBER:</td>
<td>012209-2017</td>
</tr>
<tr>
<td>TAX YEAR</td>
<td>2018</td>
</tr>
</tbody>
</table>

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the applied tax year, but also the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for the Freeze Act Year (s): 2018 and

WHEREAS, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of $3,720.50

WHEREAS, pursuant to N.J.S.A. 54:3-27.2, “in the event a taxpayer is successful in an appeal from an assessment on real property, the respective taxing district shall refund any excess paid within 60 days of final judgment.”

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of $3,720.50.
RESOLUTION R.466-092018

RESOLUTION AWARDING CONTRACT TO ASSOCIATED APPRAISAL GROUP, INC. FOR APPRAISAL SERVICES FOR TAX COURT APPEALS

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on June 15, 2018 for RFP 18-05-APPRAISAL SERVICES FOR TAX COURT APPEALS for a bid opening date of June 29, 2018 and three (3) proposals were received; and

WHEREAS, after review and evaluation of said proposals, it has been recommended by the Township that a portion of the contract be awarded to ASSOCIATED APPRAISAL GROUP, INC., 6 Commerce Drive, Suite 303, Cranford, NJ 07016; and

WHEREAS, the total amount of this contract, not to exceed $60,000.00 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 and as submitted on the summary spreadsheet.

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

1. All proposals have been reviewed, and the proposal as submitted by ASSOCIATED APPRAISAL GROUP, INC., 6 Commerce Drive, Suite 303, Cranford, NJ 07016 is determined to be in the best interest of the township, price and other factors considered, for Appraisal Services for Tax Court Appeals.

2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed $60,000.00, and any other necessary documents, with ASSOCIATED APPRAISAL GROUP, INC. in accordance with their proposal.
RESOLUTION R.467-092018

RESOLUTION AWARDING CONTRACT TO INTEGRA REALTY RESOURCES FOR APPRAISAL SERVICES FOR TAX COURT APPEALS

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on June 15, 2018 for RFP 18-05-APPRaisal SERVICES FOR TAX COURT APPEALS for a bid opening date of June 29, 2018 and three (3) proposals were received; and

WHEREAS, after review and evaluation of said proposals, it has been recommended by the Township that a portion of the contract be awarded to INTEGRA REALTY RESOURCES, 301 South Livingston Ave., Suite 104, Livingston, NJ 07039; and

WHEREAS, the total amount of this contract, not to exceed $40,000.00, 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. All proposals have been reviewed, and the proposal as submitted by INTEGRA REALTY RESOURCES, 301 South Livingston Ave., Suite 104, Livingston, NJ 07039 is determined to be in the best interest of the township, price and other factors considered, for Appraisal Services for Tax Court Appeals.

2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed $40,000.00, and any other necessary documents, with INTEGRA REALTY RESOURCES in accordance with their proposal.
RESOLUTION R.468-092018

EXPLANATION: Resolution approving the submission of a 2019 New Jersey Department of Transportation – Municipal Aid grant application and execution of a grant agreement for the Grove Avenue Rehabilitation Project.

WHEREAS, the Township of Edison wishes to apply for and obtain funding through the 2018 New Jersey Department of Transportation – Municipal Aid grant program for the completion of the Grove Avenue Rehabilitation Project.

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Edison do hereby authorize the submission of such a grant application, for the said project, titled MA-2019-Grove Avenue Rehabilitation Project-00182.

BE IT FURTHER RESOLVED, that upon the receipt of a grant award the Mayor and Township Clerk are hereby authorized to sign the grant agreement and that their signatures constitute acceptance of the terms and conditions of the grant agreement.
RESOLUTION R.469-092018

EXPLANATION: Resolution approving the submission of a 2019 New Jersey Department of Transportation – Safe Streets to Transit grant application and execution of a grant agreement for the Central Avenue Pedestrian Safety Improvements project.

WHEREAS, the Township of Edison wishes to apply for and obtain funding through the New Jersey Department of Transportation – Safe Streets to Transit grant program for the completion of the Edison Station Pedestrian Safety Improvements project.

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Edison do hereby authorize the submission of such a grant application, for the said project, titled SST-2019-Central Avenue Pedestrian Safety Im-00017.

BE IT FURTHER RESOLVED, that upon the receipt of a grant award the Mayor and Township Clerk are hereby authorized to sign the grant agreement and that their signatures constitute acceptance of the terms and conditions of the grant agreement.
RESOLUTION R.470-092018

RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF $5,000 FROM INVESTORS FOUNDATION TO SUPPORT EDISON MUNICIPAL ALLIANCE BRIDGES ARTS PROGRAMMING

WHEREAS, The Township of Edison has been approved to receive a grant in the amount of $5,000 from the Investors Foundation’s in support of the 2018 EDHHS EMA/BRIDGES Teen Arts Program; and

WHEREAS, the Edison Department of Health and Human Services is desirous of accepting those grant funds in support of the BRIDGES Arts programs conducted by the Edison Municipal Alliance; and

WHEREAS, these programs have a significant benefit to the residents of Edison; and

WHEREAS, no matching funds are required to accept this grant award;

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, that the appropriate fiscal officer will accept said funds in the amount of $5,000, and that the Mayor, or his designee is hereby authorized to execute any and all documents with respect to this grant described herein.
WHEREAS, The Edison Department of Health and Human Services (EDHHS) established the Edison Municipal Alliance (EMA) as a Township-based, grass-roots volunteer organization comprised of community leaders, private citizens and human service agency representatives, over twenty four years ago; and

WHEREAS, the mission of EMA is to promote and support alcohol, tobacco, other drug, and violence prevention, education programs and related activities, in order to encourage positive, healthy behavior among local youths and their families, as an alternative to deleterious and potentially dangerous conduct and activities; and

WHEREAS, the Middlesex County Office of Arts & History (MCOAH) has grant funds available, through its 2019 Arts Grant Program (AGP) for eligible programs, projects, activities and related costs of qualified organizations in throughout Middlesex County, for which it shall accept on-line applications via the MCOAH AGP application website; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, intends to apply for grant funding for a maximum request of approximately $15,000.00 from the Middlesex County Office of Arts & History Arts Grant Program, as it will help to further strengthen its mission, focus and vision through effective programs, projects, events and activities; and

WHEREAS, a 25% Cash Match is required to submit an application to and receive an award from the 2018 Middlesex County Office of Arts & History Arts Grant Program; and

WHEREAS, the EDHHS EMA/BRIDGES Teen Arts Program has successfully participated in the MCCHS (MCOAH) AGP over the past nine years; and

WHEREAS, the Edison Department of Health and Human Services, through EMA, will utilize all grant funds awarded to it by the Middlesex County Arts Grant Program as described in its application for said funds and in compliance with all applicable Municipal, Middlesex County, New Jersey and United States federal requirements, guidelines, regulations and statutes; and

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application to the Middlesex County Office of Arts & History, at a regularly-scheduled combined Work Session and Public Meeting on the evening of Wednesday, September 12, 2018.
RESOLUTION R.472-092018

EXPLANATION: A Resolution authorizing the Mayor to execute an Agreement with The Land Conservancy of New Jersey to serve as Open Space Advisor to the Township.

WHEREAS, there exists the need for open space advisory services within the Township of Edison (the “Township”); and

WHEREAS, the Land Conservancy of New Jersey (“The Land Conservancy”) has submitted a proposal, dated June 28, 2018, to serve as Open Space Advisor to the Township; and

WHEREAS, the Township desires to retain the Land Conservancy in this role; and

WHEREAS, the Township wishes to enter into an agreement (the “Agreement”) with The Land Conservancy consistent with the Qualifications and Proposal, dated June 28, 2018 and attached hereto as Exhibit A (the “Proposal”); and

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

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

1. The foregoing recitals are hereby incorporated by reference as if fully repeated herein.

2. The Mayor or his designee is hereby authorized to execute an Agreement consistent with the terms of the Proposal attached hereto as Exhibit A, and subject to such additions, deletions, modifications or amendments deemed necessary in consultation with counsel that do not substantially alter the rights and responsibilities of the parties, and to take all other necessary and appropriate action to effectuate said agreement.

3. A copy of this Resolution and the executed Agreement shall be maintained on file with the Township Clerk.

4. This Resolution shall take effect immediately.
RESOLUTION R.473-092018

EXPLANATION: A Resolution retaining Millennium Strategies for the purpose of grant research, writing and management services, for a one (1) year period.

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

WHEREAS, the Township desires to avail itself of the numerous possibilities to supplement funding for projects beneficial to the Township; and

WHEREAS, to avail itself to the numerous possibilities to supplement funding for projects beneficial to the Township, Millennium Strategies, 60 Roseland Avenue, Caldwell, New Jersey 07006 (“Millennium Strategies”) prepared a proposal for services, with regard to the grant research, writing and management services for the Township; and

WHEREAS, Millennium Strategies has proven itself as a successful and results-oriented grant research, writing and management firm, as is evidence by its current representation of numerous municipalities, counties and non-profits in New Jersey, New York, Pennsylvania and Delaware; and

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

WHEREAS, the Township desires to retain Millennium Strategies at a cost of Sixty Three Thousand Dollars ($63,000.00), inclusive of all Millennium Strategies travel time and expenses as well as attendance at all designated meetings, for one (1) year from the date of execution of a contract with Millennium Strategies, to undertake evaluation of the Township funding procurement efforts, notification of all available funding opportunities, research, preparation submission and follow-up of all available funding applications, representation of the Township with legislative and government officials regarding grant and funding procurement and attendance at meetings as requested with forty-eight (48) hours’ notice, whereby either party may terminate the contract on fourteen (14) days’ written notice.

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

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

Section 2. The Township desires to retain Millennium Strategies at a cost of Sixty Three Thousand Dollars ($63,000.00), inclusive of all Millennium Strategies travel time and expenses as well as attendance at all designated meetings, for one (1) year from the date of execution of a contract with Millennium Strategies, to undertake evaluation of the Township funding procurement efforts, notification of all available funding opportunities, research, preparation submission and follow-up of all available funding applications, representation of the Township with legislative and government officials regarding grant and funding procurement and attendance at meetings as requested with forty-eight (48) hours’ notice, whereby either party may terminate the contract on fourteen (14) days’ written notice, consistent with the Services Proposal attached hereto as Exhibit A.

Section 3. The Mayor and Township Clerk are hereby authorized and directed to execute the contract with Millennium Strategies for its grant research, writing and management services.

Section 4. Notice of this Resolution shall be published in the designated official newspaper as required by law within ten (10) days of passage.

Section 5. A certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Business Administrator and to Millennium Strategies.

Section 6. This Resolution shall take effect immediately.
RESOLUTION R.474-092018

EXPLANATION: Resolution Refunding Cash Performance for Application # Z44-2012
30-31 Bartha Avenue in Account # 68392093 / CP180601AN

WHEREAS, the Township Engineer advises that an inspection has been made of Application # Z44-2012, Block: 906 Lot: 4, and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance posted on May 18, 2018 in the amount of Cash Performance $22,236.60, plus accrued interest if applicable on deposit in account # 68392093/ CP180601AN with the Township of Edison, principal being Kalogridis Estates Inc., having an address at 30-31 Bartha Avenue, Edison, NJ 08817 and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance in the amount of $22,236.60 plus accrued interest, if applicable, on deposit in account #CP180601AN to the applicant, Kalogridis Estates 11 Bartha Avenue, Edison, NJ 08817.
RESOLUTION R.475-092018

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

WHEREAS, on July 25, 2018, a Construction Permit fee, check #21024, permit #2018-2876, was posted in the total amount of $311.00 by the contractor, Ample Plumbing, having offices at 46 Reinman Rd., Warren, NJ 07059; and

WHEREAS, the application was submitted for an A/C and Air Handler at 65 Cedar St., by the hired contractor; Ample Plumbing, who did not make known to the Construction Code Enforcement Division that the homeowner, Albert Zarza, is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of $300.00, derived from the $311.00 total construction permit fee less the $11.00 DCA fee, be refunded to the contractor Ample Plumbing; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2018-2876, 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 Ample Plumbing for 65 Cedar St. 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, Ample Plumbing, having offices at 46 Reinman Rd., Warren, NJ 07059.
RESOLUTION R.476-092018

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

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

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

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

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $75.00, plus any accrued interest as applicable, on deposit in Account #7763748464 to Westbrook Estate, P.O. Box 35, Glen Gardner NJ 08826 for the referenced property at Oakland Ave, Edison NJ 08817 Block: 221 Lot: 15.01
RESOLUTION R.477-092018

WHEREAS, January 27, 2011, Westbrook Estate LLC, posted Tree Maintenance Bond fees in the amount of $3,973.14, with Check No. 1241 on deposit with the Township of Edison in account #7760275114 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 11 Lily Road, Block 425, Lot 71.03, Edison, NJ, 08820;

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount $3,973.14 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of $3,973.14 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $3,973.14, plus any accrued interest as applicable, on deposit in Account #7760275114 to Westbrook Estate, P.O. Box 35, Glen Gardner NJ 08826 for the referenced property at 11 Lily Road, Edison NJ 08820 Block: 425 Lot: 71.03
WHEREAS, April 23, 2013 Markim Developers LLC, posted Tree Maintenance Bond fees in the amount of $1,800.00, with Check No. 1383 on deposit with the Township of Edison in account #7762515665 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 10 Stephenville Parkway, Block 1018, Lot 11, Edison, NJ, 08820;

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

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

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

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $1,800.00, plus any accrued interest as applicable, on deposit in Account #7762515665 to Markim Developers LLC, 910 Amboy Ave, Edison NJ 08837 for the referenced property at 10 Stephenville Parkway, Edison NJ 08820 Block: 1018 Lot: 11
RESOLUTION R.479-092018

WHEREAS, November 20, 2013, A. Ferraro Construction LLC, posted Tree Maintenance Bond fees in the amount of $900.00, with Check No. 3386 on deposit with the Township of Edison in account #7762575962 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 3 Fargo Court, Block 557.K, Lot 1, Edison, NJ, 08820;

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount $900.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of $900.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $900.00, plus any accrued interest as applicable, on deposit in Account #7762575962 to A. Ferraro Construction LLC, 429 Oak Ridge Rd, Clark NJ 07066 for the referenced property at 3 Fargo Court, Edison NJ 08820 Block: 557.K Lot: 1
WHEREAS, November 20, 2015, A. Ferraro Construction LLC, posted Tree Maintenance Bond fees in the amount of $525.00, with Check No. 3920 on deposit with the Township of Edison in account #7763748539 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 13 Frances Road, Block 1024, Lot 13, Edison, NJ, 08820;

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount $525.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of $525.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $525.00, plus any accrued interest as applicable, on deposit in Account #7763748539 to 429 Oak Ridge Rd, Clark NJ 07066 for the referenced property at 13 Frances Road, Edison NJ 08820 Block: 1024 Lot: 13
RESOLUTION R.481-092018

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

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

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

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

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $375.00, plus any accrued interest as applicable, on deposit in Account #7763748456 to 8 Norcross Ave, Metuchen, NJ 08840 for the referenced property at 2 Hillsdale Road, Edison NJ 08820 Block: 556.B Lot: 46
RESOLUTION R.482-092018

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

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

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

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

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $675.00, plus any accrued interest as applicable, on deposit in Account #7763396495 to 429 Oak Ridge Rd, Clark NJ 07066 for the referenced property at 20 Frances Road, Edison NJ 08820 Block: 1020 Lot: 12
WHEREAS, April 4, 2016 Leonard Cursi Construction, posted Tree Maintenance Bond fees in the amount of $675.00, with Check No. 8574 on deposit with the Township of Edison in account #7763927620 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 178 Fleet Ave, Block 590.P, Lot 3, Edison, NJ, 08820;

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

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

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

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $675.00, plus any accrued interest as applicable, on deposit in Account #7763927620 to Leonard Cursi Construction 3808 Fleet Ave, South Plainfield NJ 07080 for the referenced property at 4 Herron Road, Edison NJ 088 Block: 590.P Lot: 3
WHEREAS, January 8, 2016 Leonard Cursi Construction, posted Tree Maintenance Bond fees in the amount of $525.00, with Check No. 84421 on deposit with the Township of Edison in account #7763927505 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 4 Herron Road, Block 1010, Lot 4.B, Edison, NJ, 08820;

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount $525.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of $525.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $525.00, plus any accrued interest as applicable, on deposit in Account #7763927505 to 3808 Fleet Ave, South Plainfield NJ 07080 for the referenced property at 4 Herron Road, Edison NJ 088 Block: 1010 Lot: 4.B
RESOLUTION R.485-092018

WHEREAS, April 4, 2016 Leonard Cursi Construction, posted Tree Maintenance Bond fees in the amount of $675.00, with Check No. 8575 on deposit with the Township of Edison in account #7763927612 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 180 Fleet Ave, Block 590.P, Lot 6, Edison, NJ, 08820;

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

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount $225.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of $225.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of $225.00, plus any accrued interest as applicable, on deposit in Account #7763927612 to Leonard Cursi Construction 3808 Fleet Ave, South Plainfield NJ 07080 for the referenced property at 180 Fleet Ave, Edison NJ 088 Block: 590.P Lot: 6
RESOLUTION R.486-092018

RESOLUTION AUTHORIZING A REIMBURSEMENT TO NARESH CHAUHAN FOR THE WEIGHT ROOM PROGRAM

WHEREAS Naresh Chauhan made payment in the amount of $50.00 for his participation in the Weight Program at the Minnie B. Veal Community Center; and

WHEREAS the weight room is temporarily closed at the Minnie B. Veal Community Center.

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 $50.00 to Naresh Chauhan, 40 Barton St., Edison, NJ 08837, which represents the amount for the Weight Room for six months.

CERTIFICATION OF AVAILABILITY OF FUNDS
I hereby certify that funds in the amount of $50.00 are available in Account #8-01-55-0291-000-000.
RESOLUTION R.487-092018

RESOLUTION AUTHORIZING A REIMBURSEMENT TO SANTOSH MHASKE FOR THE ABC/YAP PROGRAMS

WHEREAS Santosh Mhaske made payment in the amount of $415.00 for his children Parth Mhaske and Siddhi Mhaske’s participation in the YAP and ABC Programs at John Adams Middle School and James Madison Primary Elementary Schools for the month of September; and

WHEREAS the children were removed from the program prior to attending in September; and

WHEREAS payment was already made for the month of September 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 $415.00 to Santosh Mhaske, 201 W. Shirley Avenue, Edison, NJ, 08820 which represents the amount for the YAP and ABC Programs.

CERTIFICATION OF AVAILABILITY OF FUNDS
I hereby certify that funds in the amount of $415.00 are available in Account #8-01-55-0291-000-000.
RESOLUTION R.488-092018

RESOLUTION AUTHORIZING A REIMBURSEMENT TO
JOELIA RUIZ FOR THE YAP PROGRAM

WHEREAS Joelia Ruiz made payment in the amount of $190.00 for her child Silas Cruz’s participation in the YAP Program at Thomas Jefferson Middle School for the month of September; and

WHEREAS the child was removed from the program prior to attending in September; and

WHEREAS payment was already made for the month of September, 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 Joelia Ruiz, 199 Evergreen Road, Apt. 14, Edison, NJ, 08837 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 AUTHORIZING A REIMBURSEMENT TO
KELLY WALKER FOR THE PRE-SCHOOL PROGRAM

WHEREAS Kelly Walker made payment in the amount of $77.50 for her child Raven Walker’s participation in the Pre-School Program at the Minnie B. Veal Community Center for the month of September; and

WHEREAS the child was removed from the program prior to attending in September; and

WHEREAS payment was already made for the month of September, 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 $77.50 to Kelly Walker, 212 Plainfield Ave., Edison, NJ 08817, which represents the amount for the Pre-School Program for the month of September, 2018.

CERTIFICATION OF AVAILABILITY OF FUNDS
I hereby certify that funds in the amount of $77.50 are available in Account #8-01-55-0291-000-000.
RESOLUTION R.490-092018

RESOLUTION AUTHORIZING A REIMBURSEMENT TO
SRAVANTHI NAGARAJU FOR THE RECREATION TRIP TO
DELAWARE RIVER TUBING

WHEREAS Sravanthi Nagaraju made a payment for four people to attend the Edison Recreation sponsored trip to Delaware River Tubing, and

WHEREAS the trip was cancelled.

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 $188.00 to Sravanthi Nagaraju, 9 West Dr., Edison, NJ 08820, which amount represents the cost of the trip.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of $188.00 are available in Account #8-01-55-0291-000-000.
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT/PURCHASE ORDER TO COLGATE PAPER STOCK COMPANY INCORPORATED FOR THE RECYCLING OF THE TOWNSHIP’S RECYCLABLES

WHEREAS, the Township of Edison has a need to recycle Edison’s recyclable materials; and

WHEREAS, COLGATE PAPER STOCK COMPANY, INCORPORATED, 12 Industrial Drive, New Brunswick, NJ 08901, has been accepting our recyclables and will continue to do so on a month to month basis through December 31, 2018; and

WHEREAS, such services are exempt from public bidding pursuant to Local Public Contracts Law N.J.S.A. 40:11-5(s) and N.J.S.A. 19:44A-20.5 et seq; and

WHEREAS, the total amount of this contract, not to exceed $350,000.00, cannot be encumbered at this time; and

WHEREAS, prior to contract/Purchase order, COLGATE PAPER STOCK COMPANY 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 COLGATE PAPER STOCK COMPANY from making any reportable contributions through the term of the contract; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order with COLGATE PAPER STOCK COMPANY, INCORPORATED, 12 Industrial Drive, New Brunswick, NJ 08901 for the recycling of Edison’s recyclables as described herein.

2. This contract is awarded pursuant to N.J.S.A. 40:11-5(s).
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, to the following:

Permit Number: DEV-0002
Opening Location: 5 Sine Road, Edison, NJ - 08817
Block/Lot: 267.B / 2
Applicant’s Name & Address: Michael Marcelo
                   5 Sine Rd, Edison, NJ – 08817
Initial Deposit Date: 5/25/2018
Deposit Amount: $1688.00
Paid by & refunded to: Michael Marcelo
                   5 Sine Rd, 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.493-092018

EXPLANATION: This resolution provides for refund of a fee for a solid waste container.

WHEREAS, on August 26, 2018, a check #1003 was posted in the total amount of $60.00 by Ashwin Daine, resident, residing at 867 Grove Ave., Edison, NJ for a solid waste container; and

WHEREAS, on August 25, 2018, the check #1003, was received and posted in the total amount of $60.00 by the resident; and

WHEREAS, after receipt of check, it was notified by the Division of Sanitation, Department of Public Works that the residence belongs in the private area and the Township do not pick up solid waste from 867 Grove Ave., Edison, NJ; and

WHEREAS, the Director of Public Works recommends refund of the solid waste container fee, to Ashwin Daine, resident of 867 Grove Ave., Edison, NJ in the amount of $60.00;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed $60.00 for solid waste container fee posted by Ashwin Daine, resident of 867 Grove Ave., Edison, NJ;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of $60.00 to the Resident, Ashwin Daine of 867 Grove Ave., Edison, NJ.
RESOLUTION R.494-092018

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO JOHNSTON GP, INC. / JOHNSTON COMMUNICATIONS FOR THE UPGRADE AND MAINTENANCE OF THE ACCESS CONTROL SYSTEM FOR THE POLICE DIVISION

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

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

WHEREAS, the Township of Edison is a member of the UNION COUNTY COOPERATIVE PRICING SYSTEM #8UCCP; and

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

WHEREAS, the total amount of this contract shall not exceed $26,466.41 ($17,702.67 for the upgrade to the access control system which includes hardware, software, firmware and installation and $8,763.74 for one year maintenance); and

WHEREAS, funds in the amount of $17,702.67 have been certified to be available in the Acquisition of Emergency Management Equipment Account, Number C-04-05-1468-392-003 and funds in the amount of $8,763.74 have been certified to be available in the Police Department Computer Hard & Software Account, Number 8-01-25-0240-000-059; 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 $26,466.41 and any other necessary documents, with JOHNSTON GP, INC/JOHNSTON COMMUNICATIONS, P.O. Box 390, Kearny, NJ 07032, as described herein.

2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law, Bid No. UCCP 42-2017 through State Coop #8UCCP, under Telephone/Associated Services Systems-Equipment, Installation, Maintenance Services.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of $17,702.67 are available in Account No. C-04-05-1468-392-003 and funds in the amount of $8,763.74 have been certified to be available in Account No. 8-01-25-0240-000-059.
RESOLUTION R.495-092018

WHEREAS, St. Helena Church, New Dover Road, has requested a waiver of any and all permit and/or application fees for Fire Alarm damaged while replacing boiler under Resolution R.380-062015.

WHEREAS, under the building code, St. Helena Church, as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

WHEREAS, the Municipal Council of the Township of Edison feels that it would be appropriate to waive any applicable fees;

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edison, that it does hereby waive any application fees for Fire Alarm damaged while replacing boiler under Resolution R.380-62015, except the DCA fee, due to the Township of Edison as a result of the application being submitted by St. Helena Church.
RESOLUTION AUTHORIZING A REIMBURSEMENT TO MADHURI KAREKAR FOR THE YAP PROGRAM

WHEREAS Madhuri Karekar made payment in the amount of $190.00 for her child Sargam Karekar’s participation in the YAP Program at Thomas Jefferson Middle School for the month of September; and

WHEREAS the child was removed from the program prior to attending in September; and

WHEREAS payment was already made for the month of September, 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 Madhuri Karekar, 15 Schuyler Dr., Edison, NJ 08817, 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.

Q: karekar yap reso
9/7/18 dwt
RESOLUTION R.497-092018

RESOLUTION AUTHORIZING A REIMBURSEMENT TO YUN CHENG PAN FOR THE YAP PROGRAM

WHEREAS Yun Cheng Pan made payment in the amount of $190.00 for his child Hao Wen Zhen’s participation in the YAP Program at Herbert Hoover Middle School for the month of September; and

WHEREAS the child was removed from the program prior to attending in September; and

WHEREAS payment was already made for the month of September, 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 Yun Cheng Pan, 670 Old Post Road, Edison, NJ 08817 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.

Q: pan-zhen yap reso
RESOLUTION R.498-092018

RESOLUTION AUTHORIZING A REIMBURSEMENT TO SUDESH AMAGOWNI FOR THE ABC/YAP PROGRAMS

WHEREAS Sudesh Amagowni made payment in the amount of $570.00 for his children Dhruv Amagowni and Varenya Amagowni’s participation in the ABC and YAP Programs at James Madison Intermediate and John Adams Middle Schools for the months of September and October; and

WHEREAS the children were removed from the program prior to attending in September or October; and

WHEREAS payment was already made for the months of September and October, 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 $570.00 to Sudesh Amagowni, 1 Quaker St., Edison, NJ 08820, which represents the amount for the ABC and YAP Programs for two months.

CERTIFICATION OF AVAILABILITY OF FUNDS
I hereby certify that funds in the amount of $570.00 are available in Account #8-01-55-0291-000-000.
RESOLUTION R.499-092018

RESOLUTION AUTHORIZING A REIMBURSEMENT TO
SINDHU BHATTA FOR THE ABC/YAP PROGRAMS

WHEREAS Sindhu Bhatta made payment in the amount of $285.00 for her children Srinika Bhatta and Sanjana Bhatta’s participation in the ABC and YAP Programs at Woodbrook Elementary and Woodrow Wilson Middle Schools for the month of September; and

WHEREAS the children were removed from the program prior to attending in September; and

WHEREAS payment was already made for the month of September 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 $285.00 to Sindhu Bhatta, 37 Prestwick Way, Edison, NJ 08820, which represents the amount for the ABC and YAP Programs.

CERTIFICATION OF AVAILABILITY OF FUNDS
I hereby certify that funds in the amount of $285.00 are available in Account #8-01-55-0291-000-000.
RESOLUTION R.500-092018

RESOLUTION AUTHORIZING A REIMBURSEMENT TO VALERIE JABOUIN FOR THE ABC PROGRAM

WHEREAS Valerie Jabouin made payment in the amount of $190.00 for her child Malena Jabouin’s participation in the ABC Program at John Marshall Elementary School for the month of September; and

WHEREAS the child was removed from the program prior to attending in September; and

WHEREAS payment was already made for the month of September, 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 Valerie Jabouin, 117 Truman Ave., Apt. 219, Edison, NJ 08817 which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS
I hereby certify that funds in the amount of $190.00 are available in Account #8-01-55-0291-000-000.
RESOLUTION R. 501-092018

RESOLUTION AUTHORIZING A REIMBURSEMENT TO PARUL SINGH FOR THE ABC PROGRAM

WHEREAS Parul Singh made payment in the amount of $130.00 for her child Ira Singh’s participation in the ABC Program at James Monroe Elementary School for the month of September; and

WHEREAS the child was removed from the program prior to attending in September; and

WHEREAS payment was already made for the month of September, 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 $130.00 to Parul Singh, 192 Evergreen Rd., Apt. 15B, Edison, NJ, 08837, which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS
I hereby certify that funds in the amount of $130.00 are available in Account #8-01-55-0291-000-000.
RESOLUTION R.502-092018

RESOLUTION AUTHORIZING A REIMBURSEMENT TO
CHAO YAO FOR THE ABC PROGRAM

WHEREAS Chao Yao made payment in the amount of $380.00 for his child Leo Yao’s participation in the ABC Program at Woodbrook Elementary School for the months of September and October; and

WHEREAS the child was removed from the program prior to attending in September or October; and

WHEREAS payment was already made for the months of September and October, 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 $380.00 to Chao Yao, 14 Westwood Circle, Edison, NJ, 08820, which represents the amount for the ABC Program for two months.

CERTIFICATION OF AVAILABILITY OF FUNDS
I hereby certify that funds in the amount of $380.00 are available in Account #8-01-55-0291-000-000.
RESOLUTION R.503-092018

EXPLANATION: This Resolution is for the Municipal Council to provide its consent to the Mayor’s appointment to fill a vacancy on the Township of Edison Cable Television Advisory Committee.

WHEREAS, the Township of Edison (“Township”) has established a Cable Television Advisory Committee (the “Committee”) pursuant to the Code of the Township of Edison (“Township Code”) at Section 2-109.1; and

WHEREAS, the Committee shall be comprised of eleven (11) members to be nominated by the Mayor and confirmed with the advice and consent of the Municipal Council pursuant to the Township Code at Section 2-109.1; and

WHEREAS, the Mayor desires to appoint the following residents to fill a general Public Representative vacancy on the Committee:

General Public Representative Bruce Seitz; and

WHEREAS, the Municipal Council desires to provide its consent for these Township residents to serve on the Committee.

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 Municipal Council hereby provides its consent to the Mayor’s appointments of General Public Representative Bruce Seitz, for a three (3) year term.

3. This Resolution shall take effect immediately.