

**MINUTES OF THE REORGANIZATION MEETING
OF THE MUNICIPAL COUNCIL - TOWNSHIP OF EDISON**

JANUARY 1, 2018

The Reorganization Meeting of the Municipal Council was held at the Municipal Complex on Monday, January 1, 2017. The Meeting was called to order at 12:23 p.m. by the Township Attorney, followed by the Pledge of Allegiance.

Present were Councilmembers Coyle, Diehl, Gomez, Joshi, Lombardi, Patil and Sendelsky.

Also present were Township Clerk Russomanno, Deputy Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane,, Assistant Public Works Director Russomanno, Health Director Elliot, and Cameraman Cologna.

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by a Notice sent to The Home News and Tribune, The Star Ledger and The Sentinela on December 9, 2017, and posted in the Main Lobby of the Municipal Complex on the same date.

REMARKS BY THE HONORABLE THOMAS LANKEY MAYOR

It is an honor and privilege to be here, great to see so many people out today. He thanked his family, his nephews Kevin and Frank, sons Tommy and Kyle, his mother, his brother Frank and girlfriend Susan and his girlfriend Deb for putting up with him and my cousin Bill Kovach. He also thanked the residents and voters he is humbled to be here for another term. I am one of three mayors than got reelected for a second term since we are Edison Township. It a new year with new beginning, Bruce did right for what are we without hope in our hearts. It's time to get down to business, now we can move forward. The future is not written yet we all start with a blank page I ask that together with the Council, all municipal employees, residents, and state officials lets write that next page together on what is best for Edison. We need input from the residents to let us know only by listening to everyone ideas is the best for the town. Another Bruce quote "Talk about a dream and try to make it real" as we look ahead continue moving forward we don't have a lot of time we really only have one chance. Our goal is to continue to improve public safety, our infrastructures, we have redevelopment plans, wellness programs, environmental issues, and becoming more diversified, that's one of the reason money magazine the 19th best place to live and how we handle it . We are looking to do a new Community Center also looking at all our parks to upgrade and provide the services to our residents needs in 2018. We need to work closely with our Board of Education and I am committed we are going to do that in 2018 and forward. Nothing is impossible if we are working together let's put politics aside and do what we need to do. The town we carry in our hearts is waiting for us. Thank you again for coming out here, have a happy and healthy New Year.

NOMINATIONS FOR POSITION OF COUNCIL PRESIDENT

Mr. Northgrave, Township Attorney opened the nominations for President of Council.

Councilmember Lombardi nominated Ajay Patil , this nomination was seconded by Councilmember Gomez.

There being no other nominations, on a motion made by Councilmember Lombardi seconded by Councilmember Sendelsky and duly carried, the nominations were closed.

Ms. Russomanno then called the Roll for the nomination of Ajay Patil for Council President.

AYES - Councilmembers Coyle, Diehl, Gomez, Joshi, Lombardi, Sendelsky, and Council President Patil

NAYS - None

Mayor Lankey then administered the Oath of Office to Council President Patil.

STATEMENT OF COUNCIL PRESIDENT

Happy New Year, he thanked all the guest, friends and family here today. He thanked his wife and children for their understanding through this journey. It is truly an honor to be Council President, thank you to all council colleagues for this opportunity. He congratulated Mayor Lankey, Councilmember Diehl and Gomez on their re-election along with newest Councilmember Joshi. We have a proud community of hard working people, an excellent school system and culturely diversity community which makes us strong. Edison Council is looking forward to working with Mayor Lankey, his administration, team work and cooperation is the key to success. This council has a lot of work ahead we may have to make some hard

decisions to bring in some good changes however, he is confident together we can make it happen. We are looking to promote business friendly town to increase job growth and revenue. We must look for an innovated way to use shared services with school district and neighboring towns. Together in 2018 working on a New community center Technology improvement and work with school district to solve routing issues. I am looking forward to servicing as Council President for 2018 and ending with a quote from Henry Ford, "if everyone is moving together than success takes care of itself. "

NOMINATIONS FOR POSITION OF COUNCIL VICE PRESIDENT

Council President Patil opened the nominations for Vice President of Council.

Councilmember Gomez nominated Leonard Sendelsky this nomination was seconded by Councilmember Lombardi.

There being no other nominations, on a motion made by Councilmember Gomez, seconded by Councilmember Lombardi and duly carried, the nominations were closed.

Council President Patil then asked for a Roll Call for the nomination of Leonard Sendelsky for Council Vice President.

AYES - Councilmembers Coyle, Diehl, Gomez, Joshi, Lombardi, Sendelsky and Council President Patil.

NAYS – None

The Oath of Office was then administered to Council Vice President Sendelsky by Ms. Russomanno.

STATEMENT OF COUNCIL VICE PRESIDENT

First he wished everyone a Happy and Healthy New Year. He is honored that my council colleagues have elected him as Council Vice President. He looks forward to servicing the citizens of Edison for another year. The Community Center is very important to our town to get it done and to continue to improve our infrastructures, roads and sewer system. His door is always open to everyone. He is looking forward to working together with his council colleagues and thank you again for the confidence.

Council President Patil asked for the Council colleagues .

Councilmember Diehl, Happy New Year it's good to see so many people out on a very cold afternoon. As the Mayor said, this is a humbling experience being re-elected the more years the more humble it becomes. It's a challenging job, serious job and thanked the residents and voters for putting their trust in him once again.

Councilmember Gomez, Happy New Year thank you all for your support. He thanked his wife Darlene for all her support and his niece and nephew for partaking in is swearing in. He thanked the voters for giving him the opportunity to serve the residents of the Township again. He thanked Mayor Lankey for working together as a team and to continue to do so and make Edison a great place to live.

Councilmember Joshi, it extremely humbling, he thanked his mother ,father and sister for their support in this journey. Born and raised here, he has been involved since he was fourteen years old and is very excited. He thanked Mayor Lankey for his support also his running mates for showing, teaching, and guiding the way. He is looking forward to being a Council member.

Council Vice President Sendelsky thanked outgoing Council President Lombardi and Council Vice President Gomez for their service and hard work.

PROPOSED RESOLUTIONS

Council President Patil opened the meeting to the public for comments on Proposed Resolutions R.001-012018 through R.003-012018.

None

There were no comments from the public regarding Proposed Resolutions. On a motion made by Councilmember Diehl seconded by Councilmember Gomez and duly carried, the public hearing was closed.

The following Resolutions R.001-012002 through R.003-012002 were adopted under the Consent Agenda on a motion made by Councilmember and seconded by Councilmember

RESOLUTION R.001-012018

AUTHORIZING THE ADOPTION OF A CASH MANAGEMENT PLAN FOR THE TOWNSHIP OF EDISON

WHEREAS, Chapter 148 of the Public Laws of 1997 requires the Governing Body to adopt an annual Cash Management Plan; and

WHEREAS, the following banks are authorized depositories for Municipal Funds consistent with the Governmental Unit Depository Protection Act and may be used by the Chief Financial Officer for the deposit of Township funds:

TD Bank – North Edison, NJ
Bank of New York/Chase, National Community Division, Edison, NJ
Capital One Bank/North Fork Bank, Edison, NJ
Provident Bank, Edison, NJ
PNC Bank, Edison, NJ
Bank of America, Edison, NJ
Columbia Savings Bank, Edison, NJ
Metuchen Savings Bank, Metuchen, NJ
Ocean First Bank, Monroe, NJ
Valley National Bank, So. Plainfield, NJ
Investor’s Savings Bank, Edison, NJ
State of New Jersey, Cash Management Fund
U.S. Bank, Morristown, NJ
Fulton Bank of NJ, Edison, NJ
Unity Bank, Edison, NJ
Indus American Bank, Iselin, NJ
J.P. Morgan Chase Bank

,and

WHEREAS, the Chief Financial Officer is directed to use this cash management plan as a guide in depositing and investing the funds of the Township of Edison, and

WHEREAS, the following investments are permitted for use by the Chief Financial Officer:

1. Interest bearing bank accounts and certificates of deposit in authorized banks for deposit of local unit funds.
2. Government money market mutual funds that comply with N.J.S.A. 40A:5-15.1 (e).
3. Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.
4. Bonds or other obligations of the local unit or school district of which the local unit is a part.
5. Any other obligations with maturities not exceeding 397 days, as permitted by the Division of Investments of the Department of the Treasury for investment by local units.
6. Local government investment pools which comply with N.J.S.A. 40A:5-15.1 (e) and conditions set by the Division of Local Government Services.
7. New Jersey State Cash Management Fund.
8. Repurchase agreements of fully collateralized securities, which comply with N.J.S.A. 40A:5-15 (a).

,and

WHEREAS, the priority of investment policies shall be, in order of descending importance: security, liquidity, and yield with funds managed to meet the Township of Edison’s cash flow needs.

NOW, THEREFORE, IT IS RESOLVED by the Council of the Township of Edison, Middlesex County, New Jersey that the foregoing shall serve as the cash management plan of the Township of Edison for the year 2018.

RESOLUTION R.002-012018

BE IT RESOLVED, by the Municipal Council of the Township of Edison that the following are hereby designated as the official newspapers of Edison Township for the purpose of publication of all legal notices, to the extent permitted by law, and to the extent each publication complies with the legal requirements for official newspapers for municipalities:

The Home News Tribune, Neptune, New Jersey
The Star Ledger, Newark, New Jersey
The Sentinel, Freehold, New Jersey

RESOLUTION R.003-012018

EXPLANATION: This Resolution awards a Professional Services Contract to McManimon, Scotland & Baumann, LLC and designates William W. Northgrave, Esq. of the firm to represent the Township of Edison as Township Attorney.

WHEREAS, the Municipal Council ("**Municipal Council**") of the Township of Edison ("**Township**") has determined that it is in its best interests and those of Township residents to engage qualified legal counsel, and the Township is authorized pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* ("**Local Contracts Law**") to contract for "professional services" as it may require; and

WHEREAS, McManimon, Scotland & Baumann, LLC ("**Counsel**") has an excellent reputation in the area of municipal government, including, but not limited to, the areas of public finance, redevelopment, environmental law, and more particularly local unit general counsel services, and has extensive legal staff and resources and the multi-disciplinary practice necessary to handle any matter in the municipal arena and any other unanticipated legal issue which may arise from time to time in the Township; and

WHEREAS, William W. Northgrave, Esq., a partner at Counsel, has an excellent reputation in the area of municipal government, has practiced law for many years, has knowledge of the Township and has available supporting attorney staff at and through Counsel; and

WHEREAS, for these reasons the Mayor and the Municipal Council recommend William W. Northgrave, Esq. for the position of Township Attorney and seek to enter a contract for legal services with Counsel for 2018 ("**Services Contract**," as attached hereto as Exhibit A) to provide for same; and

WHEREAS, the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, allows for the awarding of a contract for "professional services" without public advertising for bids; and

WHEREAS, prior to the execution of the Services Contract, William W. Northgrave, Esq. will have completed and submitted a Business Entity Disclosure Certification, which certifies that no individual with a ten percent (10.0%) interest or larger in Counsel has made any reportable contributions to a political or candidate committee in the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10.0%) interest or larger in Counsel from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

WHEREAS, the Services Contract is not awarded through a "fair and open process" pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

WHEREAS, compensation for local unit general counsel services included under the Services Contract shall be rendered at the flat rate of \$35,000.00, payable in twelve (12) monthly installments at the first Municipal Council meeting of each month, and shall include advising the Municipal Council; preparing routine resolutions and ordinances; rendering opinions; attending Municipal Council meetings and other matters as defined and delineated by Sections 2-71.2 thru 2.71.7 of the Township Code and the Services Contract; and

WHEREAS, compensation for the professional services outside of the scope of local unit general services, including, but not limited to, matters relating to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*; litigation; and bond and note financing, shall be billed at the blended hourly rate of \$190 for attorneys, or other rates as provided in the Services Contract; and

WHEREAS, the Local Contracts Law requires that contracts awarded without competitive bid be authorized by resolution of the municipal governing body and that notice of the award of such contract be publicly advertised.

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 Mayor and Township Clerk are hereby authorized and directed to execute the Services Contract with Counsel, whereby William W. Northgrave, Esq. shall represent the Township as Township Attorney.
2. The Services Contract is awarded without competitive bidding as a “professional service” under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.
3. A certificate showing the availability of funds for the Services Contract authorized hereby has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2018 calendar year.
4. No payments in excess of the “not-to-exceed” amount of \$290,000.00 will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
5. Any modification to the Services Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
6. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.
7. The Services Contract shall, for all purposes, be deemed a New Jersey contract and any provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.
8. This Resolution shall take effect immediately.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Municipal Council of the Township of Edison that a copy of this Resolution shall be published in the official newspaper within 10 days of its passage, as required by law, and shall be on file and available for public inspection in the office of the Edison Township Municipal Clerk, Edison Township Municipal Building, 100 Municipal Boulevard, Edison, New Jersey 08817.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2018 calendar year, funds in the amount of \$290,000.00 are available in Account No: 8-01-20-0155-001-027

/s/ Nicholas C. Fargo
Chief Financial Officer

AYES - Councilmembers Coyle, Diehl, Gomez, Joshi, Lombardi, Sendelsky and Council President Patil.

NAYS - None

ORAL PETITIONS AND REMARKS

Council President Patil opened the meeting for public comment.

None

Hearing no further comments from the public Councilmember Diehl made a motion to close the public hearing, which was seconded by Councilmember Sendelsky and duly carried.

There being no further business, on a motion made by Councilmember Lombardi seconded by Councilmember Gomez , the meeting was adjourned at 12:45 p.m.

Ajay Patil
Council President

Cheryl Russomanno, RMC
Municipal Clerk