

**AGENDA
MUNICIPAL COUNCIL
REORGANIZATION AND WORKSESSION MEETING
Monday, January 7, 2019
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 1, 2018 and posted in the Main Lobby of the Municipal Complex on the same date.

REORGANIZATION

NOMINATIONS - Position of President for Council for 2019

OATH OF OFFICE TO BE ADMINISTERED - President of Council

STATEMENT - President of Council

NOMINATIONS - Position of Vice President of Council for 2019

OATH OF OFFICE TO BE ADMINISTERED - Vice President of Council

STATEMENT - Vice President of Council

4. **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.001-012019 Cash Management Plan for 2019

R.002-012019 Official Newspapers for Publication of Legal Notices.

R.003-012019 Resolution Fixing Rate of Interest, Grace Period and Year End Penalty for Tax and Sewer.

R.004-012019 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.(not to exceed \$330,000.00)

R.005-012019 Resolution awards a Professional Services Contract to Roth D'Acquanni, LLC and designates the firm to represent Township of Edison as Township Labor Counsel (not to exceed \$265,000.00)

- R.006-012019 Resolution authorizing Professional Services Contract to Apruzzese, McDermott, Mastro & Murphy, P.C. for Special Labor Counsel Services (not to exceed \$ 30,000.00)
- R.007-012019 This Resolution awards a Professional Services Contract to Maser Consulting P.A. to provide general engineering services for the period from January 1 to December 31, 2019, to the Township of Edison. (not to exceed \$180,000)
- R.008-012019 Resolution names and authorizes the Township Engineer to execute treatment works approval (TWA) applications and temporary discharge approval (TDA) applications on behalf of the Township of Edison for the purpose of approval of sanitary sewer extensions and/or temporary discharge approvals to Edison's sanitary sewer system.
- R.009-012019 Resolution awards a Professional Services Contract to James P. Nolan & Associates and designates the firm to represent the Township of Edison as Tax Appeal Counsel and if the need should arise, Special Counsel. (not to exceed \$190,000.00)
- R.010-012019 Resolution awards a Professional Services Contract to Heyer, Gruel & Associates on a month-to-month basis, for a period of time up to (1) years.(not to exceed \$35,000.00).
- R.011-012019 Resolution authorizing the appointment of Francis M. Womack III, Esq., as Lead Prosecutor, and David R. Spevack, Esq. and Danielle M. Lozito, Esq. as Prosecutors for the Edison Township Municipal Court.
- R.012-012019 A Resolution authorizing the appointment of Anthony Sarno, Jr. Esq. and John Kwasnik, Esq. as Public Defenders for the Edison Township Municipal Court.
- R.013-012019 Resolution appointing Jacob Reider as a 1st Alternate Member to the Planning Board, term expiring December 31, 2020.
- R.014-012019 Resolution Authorizing A Professional Services Contract To Hodulik And Morrison, P.A. For Independent Auditor Services To The Township For The Audit Of Fiscal Year 2018 (not to exceed \$112,200.00 And Additional Services As Needed In 2019 not to exceed \$35,000.00).
- R.015-012019 Resolution authorizing a Professional Services Contract to Cleary, Giacobbe, Alfieri, Jacobs, LLC for Special Labor counsel Services to the Township for the year 2019 (not to exceed \$75,000.00)
- R.016-012019 This Resolution authorizes the Mayor to appoint Chirag D. Mehta, Esq. and Ellen M. Fisher, Esq. as Alternate/Conflict Municipal Prosecutors for a one (1) year term, beginning on January 1, 2019 and concluding December 31, 2019.
- R.017-012019 Resolution authorizing the Mayor to appoint Punita Amin, ESQ as Alternate/Conflict Municipal Prosecutor for (1) year beginning January 1, 2019 and concluding December 31, 2019.
- R.018-012019 Resolution appointing Mark Daniele as a Class I Member to the Planning Board, term expiring December 31, 2019.

5. ORAL PETITIONS AND REMARKS

6. **REPORTS FROM ALL COUNCIL COMMITTEES:**

7. **FROM THE BUSINESS ADMINISTRATOR:**

- a. Resolution appointing the Township of Edison Public Agency Compliance Officer.
- b. Resolution to affirm the Township of Edison's Civil Rights Policy with respect to all Officials, Appointees, Employees, Prospective employees, Volunteers, Independent Contractors and Members of the Public that come into contact with Municipal Employees, Officials and Volunteers.
- c. Resolution Authorizing the Award of A Non-Fair And Open Contract To Trinitas Regional Medical Center C.A.R.E./E.A.P For A Comprehensive Assistance And Referral For Employees And Employee Assistance Program. (not to exceed \$19,000.00).
- d. Resolution authorizing the award of a Non-Fair and Open contract to Sun Life Assurance company of Canada for Administration Services for Short Term Disability Plan. (not to exceed \$25,000.00)
- e. Resolution authorizing an Extraordinary Unspecifiable Services Contract for Public Information Services to Jaffe Communications, Inc. (not to exceed \$46,400.00)
- f. Resolution authorizing the execution of the Interlocal Health Service Contract between the Township and the County of Middlesex for the County of Middlesex to provide a properly license Health Officer to the Township.
- g. Resolution authorizing the Award of a Non-Fair and Open Contract to Acrisure, LLC, dba Financial Insurance Consultants for the Professional Risk management Consulting Services for the year 2019 (not to exceed \$269,000.00)

8. **FROM THE DEPARTMENT OF FINANCE:**

- a. Report of Disbursements through December 31, 2018.
- b. Resolution Canceling Small Balances.
- c. Resolution establishing Tax Sale date and Charges.
- d. Resolution authorizing refund in the amount of \$340,530.53 for redemption of tax sale certificates.
- e. Resolution authorizing refund for tax overpayments totaling \$1,260.55.
- f. Resolution authorizing refund for Sewer Charge overpayment totaling \$159.91.
- g. Resolution authorizing overpayment refund caused by Successful Tax Court Appeal.

9. **FROM THE DIRECTOR OF PLANNING AND ENGINEERING:**

- a. Resolution approving the submission of a 2019 New Jersey Department of Transportation – Local Freight Impact Fund Grant application and the execution of a Grant agreement for Raritan Center Road Reconstruction Project.
- b. Resolution approving the submission of a 2019 New Jersey Department of Transportation – Local Freight Impact Fund Grant application and the execution of a Grant agreement for the Heller Park Reconstruction Project.

10. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
 - a. Resolution authorizes the Director of the Department of Public Works to issue a sidewalk repair notice to the owner of a property within the Township.

11. **FROM THE CHIEF OF POLICE:**
 - a. Resolution authorizing the sale of abandoned vehicles.

12. **FROM THE TOWNSHIP CLERK:**
 - a. Resolutions appointing member to the Zoning Board.

13. **FROM THE COUNCIL LIAISON TO THE PLANNING BOARD:**

14. **DISCUSSION ITEMS:**

Councilmember Coyle
 - a. None
Councilmember Diehl
 - a. None
Councilmember Gomez

Councilmember Joshi
 - a. None
Councilmember Lombardi
 - a. None
Councilmember Patil
 - a. None
Councilmember Sendelsky
 - a. None

15. **ADJOURNMENT**

RESOLUTION R.001-012019

**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 2019.

RESOLUTION R.002-012019

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
Gujarat Samachar, Edison, New Jersey
Desi Talk, Jersey City, New Jersey
News India Times, Jersey City, New Jersey

RESOLUTION R.003-012019

Fixing Rate of Interest, Grace Period, and Year End Penalty for Tax and Sewer

WHEREAS, pursuant to N.J.S.A. 54:4-66.1, taxes in municipalities operating under a calendar based fiscal year shall be payable for the first quarterly installment of the year on February 1, for the second quarterly installment on May 1, for the third quarterly installment on August 1, and for the fourth quarterly installment on November 1; and

WHEREAS, N.J.S.A. 54:4-67 provides that the governing body may fix the rate of interest to be charged for the non-payment of taxes, assessments &/or other municipal liens or charges; and

WHEREAS, N.J.S.A. 54:4-67(a), further provides that taxes shall not be subject to interest charges if payment of any installment is made within the tenth calendar day following the date upon which the same became payable; and

WHEREAS, N.J.S.A. 54:4-67 (c), provides that within the current fiscal year if any delinquency is in excess to \$10,000.00, a penalty not to exceed 6% may be charged; and

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Edison, that in accordance with N.J.S.A. 54:4-66 et seq, the rate of interest to be charged on delinquent taxes and all other municipal liens or charges for the first, second, third and fourth quarterly installments of year **2019** shall be eight percent (8%) per annum on the first \$1,500.00 of delinquency and eighteen percent (18%) per annum on any amount in excess of \$1,500.00 to be calculated from the date the tax was payable until the date of actual payment to the collector is received provided that no interest shall be charged if payment of any installment is made on or before the tenth calendar day following the date upon which same became payable; and

BE IT FURTHER RESOLVED, that the rate of interest on unpaid sewer utility for **2019** bills shall be eighteen percent (18%) per annum on any delinquency to be calculated from the date the bill was payable until the date of actual payment, provided that no interest shall be charged if payment of any bill is made within thirty (25) calendar days following the billing date or before the tenth calendar day following the date upon which same became payable, whichever is later; and

BE IT FURTHER RESOLVED, that a penalty of six percent (6%) be charged on all delinquent municipal charges in excess of \$10,000.00 that are not paid prior to the end of **2019** calendar year.

January 9, 2019

RESOLUTION R.004-012019

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 2019 (“**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 \$330,000.00, 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 2019 calendar year.
4. No payments in excess of the “not-to-exceed” amount of \$330,000.00 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.

RESOLUTION R.005-012019

Explanation: This Resolution awards a Professional Services Contract to Roth D'Aquanni, LLC and designates the firm to represent the Township of Edison as Township Labor Counsel.

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, Roth D'Aquanni, LLC ("**Counsel**") has an excellent reputation in the area of employment law and has sufficient legal staff to handle employment law matters which may arise from time to time in the Township; and

WHEREAS, Allan C. Roth, Esq., managing member of Counsel, has an excellent reputation in the area of employment law, 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 Counsel for the position of Township Labor Counsel and seek to enter a contract for legal services with Counsel for 2019 ("**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, Allan C. Roth, 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, the legal services under the Services Contract may include, but are not limited to, representation as to general personnel advice, employment disputes, labor negotiations, litigation defense, layoffs and privatization efforts, subject to the discretion and direction of the Township Attorney; and

WHEREAS, compensation for employment law services included under the Services Contract shall be rendered at the hourly rate of \$150.00 per hour, payable monthly, as set forth 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 for its representation of the Township as Township Labor Counsel.

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 2019 calendar year.

4. No payments in excess of the “not-to-exceed” amount of \$265,000.00 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 the provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.

8. Counsel shall report directly to the Township Attorney, who will be the chief contact at the Township.

9. Counsel shall notify the Township Attorney when eighty percent (80%) of the “not-to-exceed” amount is attained.

10. This Resolution shall take effect immediately.

RESOLUTION R.006-012019

EXPLANATION: This Resolution awards a Professional Services Contract to Apruzzese, McDermott, Mastro & Murphy, P.C. and designates the firm to represent the Township of Edison as Special Labor Counsel.

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, Apruzzese, McDermott, Mastro & Murphy, P.C. (“**Counsel**”) has an excellent reputation in the area of labor law and has sufficient legal staff to handle such matters which may arise from time to time in the Township; and

WHEREAS, Arthur R. Thibault, Jr., Esq., of the firm has an excellent reputation in the area of labor law, 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 Counsel for the position of Special Labor Counsel and seek to enter a contract for legal services with Counsel for 2019 (“**Services Contract**”) to provide for the representation of the Township with respect to collective bargaining negotiations; 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, Arthur R. Thibault, 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 of 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-20.5, et seq.*; and

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

WHEREAS, the legal services under the Services Contract may include, but are not limited to, representation as to collective bargaining negotiations, subject to the discretion and direction of the Township Attorney; and

WHEREAS, compensation for special labor counsel services included under the Services Contract shall be rendered at the hourly rate of \$200.00 per hour for attorneys, payable monthly, and as further set forth 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 aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Mayor and Township Clerk are hereby authorized and directed to execute the Services Contract with Counsel for its representation of the Township as Special Labor Counsel.

3. 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.

4. 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 2019 calendar year.

5. No payments in excess of the “not-to-exceed” amount of \$30,000.00 will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.

6. 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.

7. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.

8. In accordance with *N.J.S.A. 40A:11-5* of the Local Contracts Law, the Municipal Council hereby directs the Township Clerk to publish once in the official newspaper of the Township, a brief notice, substantially in the form attached hereto as **Exhibit A**, stating the nature, duration, service and amount of the Services Contract authorized for execution herein, which notice shall state that a copy of this Resolution and the Services Contract are on file and available for public inspection in the office of the Township Clerk.

9. The Services Contract shall, for all purposes, be deemed a New Jersey contract and the provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.

10. Counsel shall report directly to the Township Attorney, who will be the chief contact at the Township.

11. Counsel shall notify the Township Attorney when eighty percent (80%) of the “not-to-exceed” amount is attained.

12. This Resolution shall take effect immediately.

RESOLUTION R.007-012019

EXPLANATION: This Resolution awards a Professional Services Contract to Maser Consulting P.A. to provide general engineering services for the period from January 2019 to December 2019, to the Township of Edison.

WHEREAS, there exists a need for engineering services in the Township of Edison (the “**Township**”); and

WHEREAS, Maser Consulting P.A. (“**Company**”) is skilled at and experienced in performing municipal engineering services, and has recently served as interim Township Engineer; and

WHEREAS, 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, the municipal council of the Township (“**Municipal Council**”) seeks to authorize the Company to provide municipal engineering services to the Township from January 2019 until December 2019, and any other services as may be reasonably required to effectuate same, pursuant to the proposal for services attached hereto as Exhibit A (the “**Services Proposal**”); 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, the Company will have completed and submitted a Business Entity Disclosure Certification to the Township, which certifies that no individual with a ten percent (10%) interest or larger in the Company 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%) interest or larger in the Company 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 shall not be awarded through a “fair and open process” pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

WHEREAS, compensation to the Company for engineering and related services shall be paid pursuant to the Services Contract, and not to exceed One Hundred Eighty Thousand Dollars (\$180,000.00); 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 aforementioned recitals are incorporated herein as though fully set forth at length herein.
2. The Municipal Council hereby authorizes the Company to perform municipal engineering services to the Township from January 2019 until December 2019, and any other services as may be reasonably required to effectuate same pursuant to the Services Contract.
3. The Mayor, or his designee, is hereby authorized to execute a contract for services consistent with the terms herein, attached hereto as Exhibit A, and in a form approved by the Township Attorney.

4. The contract for services described in the Services Proposal 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.

5. In accordance with *N.J.S.A. 40A:11-5* of the Local Contracts Law, the Municipal Council hereby directs the Township Clerk to publish once in the official newspaper of the Township, a brief notice, substantially in the form attached hereto as Exhibit B, stating the nature, duration, service and amount of the contract for services authorized for execution herein, which notice shall state that a copy of this Resolution and the contract for services is on file and available for public inspection in the office of the Township Clerk.

6. The contract for services has been awarded as a non-fair and open contract pursuant to *N.J.S.A. 19:44A-20.5* without competitive bidding. Total compensation to be paid under the contract for services will exceed \$17,500.

7. A copy of this Resolution, the contract for services and the Company’s completed Business Entity Disclosure Certification shall be available for inspection in the office of the Township Clerk.

8. This Resolution shall take effect immediately.

RESOLUTION R.008-012019

EXPLANATION: This Resolution names and authorizes the Township Engineer to execute treatment works approval (TWA) applications and temporary discharge approval (TDA) applications on behalf of the Township of Edison for the purpose of approval of sanitary sewer extensions and/or temporary discharge approvals to Edison's sanitary sewer system.

WHEREAS, under certain parameters promulgated by the New Jersey Department of Environmental Protection ("NJDEP"), it is necessary that an application be submitted with an Edison Township endorsement to the aforesaid agency for treatment works approvals and/or extensions to the Edison Township sanitary sewer system; and

WHEREAS, pursuant to State Law, it is a requirement that the applicants gain approval of the aforementioned Edison Township sanitary sewer system extension from the Middlesex County Utilities Authority ("MCUA") and the New Jersey Department of Environmental Protection ("NJDEP"); and

WHEREAS, the required approval for the Edison Township sanitary sewer extensions, and/or temporary discharges to the Edison Township sanitary sewer system, will not be approved unless the applications bear the signature of the Edison Township Engineer, Carl P. O'Brien, P.E., to indicate his approval.

NOW, THEREFORE, BE IT RESOLVED, by Municipal Council of the Township of Edison that the Edison Township Engineer, Carl P. O'Brien, P.E., be and is hereby authorized to sign the required applications for treatment works approval ("TWA") for extensions to the Edison Township sanitary sewer system, and for applications for temporary discharge approval ("TDA"), as the case may be, for submission to the MCUA and/or the NJDEP.

RESOLUTION R.009-012019

EXPLANATION: This Resolution awards a Professional Services Contract to James P. Nolan & Associates and designates the firm to represent the Township of Edison as Tax Appeal Counsel, and, if the need should arise, Special Counsel.

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, James P. Nolan & Associates (“**Counsel**”) has an excellent reputation in the area of tax appeal law and has sufficient legal staff to handle tax appeal matters which may arise from time to time in the Township; and

WHEREAS, James P. Nolan, Jr., Esq., managing member of Counsel, has an excellent reputation in the area of tax appeals, 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 Counsel for the position of Township Tax Appeal Counsel, and, if the need should arise, Township Special Counsel for matters where a conflict arises or other matters as they may arise, and seek to enter a contract for legal services with Counsel for 2019 (“**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, James P. Nolan, Jr., 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, the legal services under the Services Contract may include, but are not limited to, representation as to tax appeals and special litigation matters, subject to the discretion and direction of the Township Attorney; and

WHEREAS, compensation for employment law services included under the Services Contract shall be rendered at the hourly rate of \$140.00 per hour, payable monthly, as set forth 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 for its representation of the Township as Township Tax Appeal Counsel, and, if the need should arise, Township Special Counsel.

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 Acting 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 2019 calendar year.

4. No payments in excess of the "not-to-exceed" amount of \$190,000.00 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 the provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.

8. Counsel shall report directly to the Township Attorney, who will be the chief contact at the Township.

9. Counsel shall notify the Township Attorney when eighty percent (80%) of the "not-to-exceed" amount is attained.

10. This Resolution shall take effect immediately.

RESOLUTION R.010-012019

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO HEYER, GRUEL & ASSOCIATES FOR COMMUNITY PLANNER/CONSULTANT SERVICES TO THE TOWNSHIP FOR THE YEAR 2019

WHEREAS, the Township has a need for professional services for Community Planner/Consultant Services; and

WHEREAS, this contract shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

WHEREAS, the Township recommends Heyer, Gruel & Associates, 236 Broad St., Red Bank, NJ 07701 for the position of Community Planner/Consultant for 2019 in an amount not to exceed \$35,000.00; 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, prior to the execution of the contract, Heyer, Gruel & Associates 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 Heyer, Gruel & Associates has made any reportable contributions to a political or candidate committee of 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 Heyer, Gruel & Associates from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; 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 and any other necessary documents with Heyer, Gruel & Associates, 236 Broad St., Red Bank, NJ 07701 in the amount not to exceed \$35,000.00 for services related Community Planner/Consultant Services as described herein.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION R.011-012019

EXPLANATION: A Resolution authorizing the appointment of Francis M. Womack III, Esq., as Lead Prosecutor, and David R. Spevack, Esq. and Danielle M. Lozito, Esq. as Prosecutors for the Edison Township Municipal Court.

WHEREAS, there exists a need for prosecutors in the Township of Edison (the “**Township**”) for the Edison Township Municipal Court (the “**Municipal Court**”); and

WHEREAS, there is a desire to appoint Francis M. Womack III, Esq. as Lead Prosecutor at an annual rate of pay of \$29,000.00, and David R. Spevack, Esq. and Danielle M. Lozito, Esq. each at an annual rate of pay of \$26,000.00 and also as prosecutors, in accordance with *N.J.S.A. 2B:25-4*, for a term of one (1) year, effective of even date; and

WHEREAS, Mr. Womack, Mr. Spevack and Ms. Lozito have a proven record of professionalism while appearing in the Municipal Court on numerous occasions and meets the necessary qualifications as set forth in law; and

WHEREAS, these appointments are being made as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5 et seq.*; and

WHEREAS, the Township Purchasing Agent has determined and certified in writing that the value of the contract could exceed \$17,500; and

WHEREAS, Mr. Womack, Mr. Spevack and Ms. Lozito 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 in the previous year, and that the contracts will prohibit Mr. Womack, Mr. Spevack and Ms. Lozito, respectively, from making any reportable contributions through the term of the contracts; and

WHEREAS, the Municipal Council of the Township (the “**Municipal Council**”) accepts the recommendation of such appointment as described herein and desires to approve the entering of a professional services contracts each with Mr. Womack, Mr. Spevack and Ms. Lozito, respectively.

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

1. Francis M. Womack III, Esq., is hereby appointed as Lead Prosecutor for the Township for a term of one (1) year, effective of even date at an annual rate of pay of \$29,000.00.

2. David R. Spevack, Esq., is hereby appointed as Prosecutor for the Township for a term of one (1) year, effective of even date at an annual rate of pay of \$26,000.00.

3. Danielle M. Lozito, Esq., is hereby appointed as Prosecutor for the Township for a term of one (1) year, effective of even date at an annual rate of pay of \$26,000.00.

4. The Mayor, or his designee, is hereby authorized to execute a contract and any other necessary documents with Mr. Womack, Mr. Spevack and Ms. Lozito as described herein. Payments under the contract shall not exceed the amount of \$29,000.00 as to Mr. Womack, and \$26,000.00 as to Mr. Spevack and Ms. Lozito, in the aggregate without further authorization of the Municipal Council.

5. The contracts with Mr. Womack, Mr. Spevack and Ms. Lozito are awarded as a “Professional Service” in accordance with *N.J.S.A. 40A:11-5(1)(a)(i)* of the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, because it is for services to be performed by person(s) authorized by law to practice a recognized profession.

6. The contract is awarded as a non-fair and open contract pursuant to *N.J.S.A. 19:44A-20.5 et seq.*
7. The Business Disclosure Entity Certifications for Mr. Womack, Mr. Spevack and Ms. Lozito, and the Township Purchasing Agent's Determination of Value, shall be placed on file with this Resolution.
8. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to *N.J.S.A. 40A:11-5* and in compliance with Local Public Contracts Law guidelines. This Resolution and the contracts with Mr. Womack, Mr. Spevack and Ms. Lozito shall remain on file and available for public inspection in the office of the Township Clerk.
9. This Resolution shall take effect immediately.

RESOLUTION R.012-012019

EXPLANATION: A Resolution authorizing the appointment of Anthony Sarno, Jr. Esq. and John Kwasnik, Esq. as Public Defenders for the Edison Township Municipal Court.

WHEREAS, there exists a need for Public Defenders in the Township of Edison (the “**Township**”) for the Edison Township Municipal Court (the “**Municipal Court**”); and

WHEREAS, there is a desire to appoint Anthony Sarno, Esq. and John Kwasnik, Esq. as Public Defenders in accordance with *N.J.S.A. 2B:24-3*, for a term of one (1) year effective as of even date, each at an annual rate of pay of \$13,500.00; and

WHEREAS, Mr. Sarno and Mr. Kwasnik have proven records of professionalism while appearing in the Municipal Court on numerous occasions and meets the necessary qualifications as set forth in law; and

WHEREAS, these appointments are being made as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5 et seq.*; and

WHEREAS, the Township Purchasing Agent has determined and certified in writing that the value of the contract could exceed \$17,500; and

WHEREAS, Mr. Sarno and Mr. Kwasnik 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 year, and that the contract will prohibit Mr. Sarno and Mr. Kwasnik from making any reportable contributions through the term of the contract; and

WHEREAS, the Municipal Council of the Township (the “**Municipal Council**”) accepts the recommendation of such appointment as described herein.

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

1. Anthony Sarno, Jr., Esq., is hereby appointed as a Public Defender for the Township for a term of one (1) year effective of even date, at an annual rate of pay of \$13,500.00.

2. John Kwasnik, Esq., is hereby appointed as a Public Defender for the Township for a term of one (1) year effective of even date, at an annual rate of pay of \$13,500.00.

3. The Mayor, or his designee, is hereby authorized to execute a contract and any other necessary documents with Mr. Sarno and Mr. Kwasnik as described herein. Payments under the contract shall not exceed the amount of \$13,500.00 in the aggregate without further authorization of the Municipal Council.

4. The contracts with Mr. Womack, Mr. Sarno and Mr. Kwasnik are awarded as a “Professional Service” in accordance with *N.J.S.A. 40A:11-5(1)(a)(i)* of the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, because it is for services to be performed by person(s) authorized by law to practice a recognized profession.

5. The contract is awarded as a non-fair and open contract pursuant to *N.J.S.A. 19:44A-20.5 et seq.*

6. The Business Disclosure Entity Certifications for Mr. Sarno and Mr. Kwasnik, and the Township Purchasing Agent’s Determination of Value, shall be placed on file with this Resolution.

7. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to *N.J.S.A.* 40A:11-5 and in compliance with Local Public Contracts Law guidelines. This Resolution and the contracts with Mr. Sarno and Mr. Kwasnik shall remain on file and available for public inspection in the office of the Township Clerk.

8. This Resolution shall take effect immediately.

RESOLUTION R.013-012019

WHEREAS, a recommendation was made by Mayor Thomas Lankey to reappoint Jacob Rieder to the position of 1st Alternate Member of the Edison Planning Board; and

WHEREAS, the Municipal Council wishes to confirm this appointment.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that Jacob Rieder of 6 Cliff Street be reappointed to the Edison Planning Board, term to expire December 31, 2020.

RESOLUTION R.014-012019

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO HODULIK AND MORRISON, P.A. FOR INDEPENDENT AUDITOR SERVICES TO THE TOWNSHIP FOR THE AUDIT OF FISCAL YEAR 2018 AND ADDITIONAL SERVICES AS NEEDED IN 2019

WHEREAS, the Township is in need of auditing services as well as additional accounting/finance services; and

WHEREAS, the Township recommends Hodulik and Morrison, P.A., 1102 Raritan Avenue, PO Box 1450, Highland Park, NJ 08904 for the position of Township Auditor; and

WHEREAS; Hodulik and Morrison, P.A has submitted a proposal to provide such services at the amount of \$112,200.00 for the fiscal 2018 audit, as well as an amount not to exceed \$35,000.00 for additional services needed in 2019; and

WHEREAS, Hodulik and Morrison, P.A's hourly rates are \$140.00 per hour for Principal, \$130.00 per hour for Senior Accountant and \$120.00 per hour for Junior Accountant; and

WHEREAS, such services are professional services which, pursuant to N.J.S.A. 40A:11-5, may be awarded without competitive bidding; and

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

WHEREAS, before entering into a contract, Hodulik and Morrison, P.A., 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 Hodulik and Morrison, P.A. from making any reportable contributions through the term of this one year 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 Township is hereby authorized to execute contracts and any other necessary documents, with Hodulik and Morrison, P.A., 1102 Raritan Avenue, PO Box 1450, Highland Park, NJ 08904, in amounts not to exceed \$112,200.00 for the fiscal year 2018 audit, and not to exceed \$35,000.00 for additional services as needed in 2019, as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.5 et. seq, and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION R.015-012019

EXPLANATION: This Resolution awards a Professional Services Contract to Cleary, Giacobbe, Alfieri, Jacobs LLC and designates the firm to represent the Township of Edison as Special Labor Counsel.

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, Cleary, Giacobbe, Alfieri, Jacobs LLC (“**Counsel**”) has an excellent reputation in the area of labor law and has sufficient legal staff to handle such matters which may arise from time to time in the Township; and

WHEREAS, Matthew J. Giacobbe, Esq., of the firm has an excellent reputation in the area of labor law, 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 Counsel for the position of Special Labor Counsel and seek to enter a contract for legal services with Counsel for 2019 (“**Services Contract**,” a copy of which is attached hereto as Exhibit A) to provide for the representation of the Township with respect to collective bargaining negotiations; 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, Matthew J. Giacobbe, 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 of 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-20.5, et seq.*; and

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

WHEREAS, the legal services under the Services Contract may include, but are not limited to, representation as to collective bargaining negotiations, subject to the discretion and direction of the Township Attorney; and

WHEREAS, compensation for special labor counsel services included under the Services Contract shall be rendered at the hourly rate of \$165.00 per hour for partners and counsel and \$150.00 per hour for associates, payable monthly, and as further set forth 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 aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor and Township Clerk are hereby authorized and directed to execute the Services Contract with Counsel for its representation of the Township as Special Labor Counsel.

3. 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.

4. 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 2017 calendar year.

5. No payments in excess of the “not-to-exceed” amount of \$75,000.00 will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.

6. 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.

7. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.

8. In accordance with *N.J.S.A. 40A:11-5* of the Local Contracts Law, the Municipal Council hereby directs the Township Clerk to publish once in the official newspaper of the Township a brief notice, stating the nature, duration, service and amount of the Services Contract authorized for execution herein, which notice shall state that a copy of this Resolution and the Services Contract are on file and available for public inspection in the office of the Township Clerk.

9. The Services Contract shall, for all purposes, be deemed a New Jersey contract and the provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.

10. Counsel shall report directly to the Township Attorney, who will be the chief contact at the Township.

11. Counsel shall notify the Township Attorney when eighty percent (80%) of the “not-to-exceed” amount is attained.

12. This Resolution shall take effect immediately.

RESOLUTION R.016-012019

EXPLANATION: This Resolution authorizes the Mayor to appoint Chirag D. Mehta, Esq. and Ellen M. Fisher, Esq. as Alternate/Conflict Municipal Prosecutors for a one (1) year term, beginning on January 1, 2019 and concluding December 31, 2019.

WHEREAS the Township of Edison (the "Township"), pursuant to N.J.S.A. 2B:25-4b, may employ an attorney-at-law as a Municipal Court Prosecutor for the term of one (1) year from the date of appointment and until a successor is appointed; and

WHEREAS, in the event of a conflict of interest or in the absence of an appointed Municipal Prosecutor, an Alternate/Conflict Municipal Prosecutor would be required; and

WHEREAS, Chirag D. Mehta, Esq. and Ellen M. Fisher, Esq. have the necessary experience and qualifications to perform the duties of Township Alternate/Conflict Prosecutor, and the Mayor so nominates, and the Township Council so advises and consents, to their appointment as the Township's Alternate/Conflict Municipal Prosecutor for a one (1) year term; and

WHEREAS, funds will be available for this purpose as the Alternate/Conflict Prosecutor will be compensated on a *per diem* basis by the Municipal Prosecutor for whom they substitute.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Township 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. That the Mayor and Township Council hereby appoint Chirag D. Mehta, Esq. and Ellen M. Fisher, Esq. as the Township's Alternate/Conflict Municipal Prosecutor for a one (1) year term, beginning on January 1, 2019 and concluding December 31, 2019 in accordance with N.J.S.A. 2B:25-4, to be assigned in the discretion of the Chief Municipal Prosecutor.

RESOLUTION R.017-012019

EXPLANATION: This Resolution authorizes the Mayor to appoint Punita Amin Esq. as Alternate/Conflict Municipal Prosecutor for a one (1) year term, beginning on January 1, 2019 and concluding December 31, 2019.

WHEREAS the Township of Edison (the "Township"), pursuant to N.J.S.A. 2B:25-4b, may employ an attorney-at-law as a Municipal Court Prosecutor for the term of one (1) year from the date of appointment and until a successor is appointed; and

WHEREAS, in the event of a conflict of interest or in the absence of an appointed Municipal Prosecutor, an Alternate/Conflict Municipal Prosecutor would be required; and

WHEREAS, Punita Amin Esq. has the necessary experience and qualifications to perform the duties of Township Alternate/Conflict Prosecutor, and the Mayor so nominates, and the Township Council so advises and consents, to her appointment as a Township Alternate/Conflict Municipal Prosecutor for a one (1) year term; and

WHEREAS, funds will be available for this purpose as the Alternate/Conflict Prosecutor will be compensated on a *per diem* basis by the Municipal Prosecutor for whom they substitute.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Township 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. That the Mayor and Township Council hereby appoint Punita Amin Esq. as a Township Alternate/Conflict Municipal Prosecutor for a one (1) year term, beginning on January 1, 2019 and concluding December 31, 2019 in accordance with N.J.S.A. 2B:25-4, to be assigned in the discretion of the Chief Municipal Prosecutor.

RESOLUTION R.018-012019

WHEREAS, a recommendation was made by Mayor Thomas Lankey to reappoint Mark Daniele to the position of Class I member of the Edison Planning Board; and

WHEREAS, the Municipal Council wishes to confirm this appointment.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that Mark Daniele of 32 Oak Hills Road be reappointed to the Edison Planning Board, term to expire December 31, 2019.

RESOLUTION

EXPLANATION: A Resolution appointing the Township of Edison Public Agency Compliance Officer.

WHEREAS, pursuant to the Equal Employment Opportunity and Affirmative Action Rules, *N.J.A.C. 17:27, et seq.* and the Equal Employment Opportunity Monitoring Program (collectively, the “EEO Monitoring Program”) as implemented and monitored by the State of New Jersey, Department of Treasury, Division of Purchase and Property, Contract Compliance and Audit Unit, the Township of Edison (“Township”) is required by law to designate a Public Agency Compliance Officer (“P.A.C.O.”); and

WHEREAS, the P.A.C.O. will be the point of contact for all matters concerning implementation and administration of the legal requirements of the EEO Monitoring Program; and

WHEREAS, the P.A.C.O. is also responsible for administering contracting procedures pertaining to equal employment regarding both the Township and its service providers; and

WHEREAS, in order to fully comply with EEO Monitoring Program, the municipal council of the Township (the “Municipal Council”) hereby desires to appoint Maureen Ruane, Township Business Administrator as the Township P.A.C.O. through the 2019 year.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby appoints Maureen Ruane, Township Administrator, as the Township P.A.C.O. through the 2019 year.
3. This Resolution shall take effect immediately.

RESOLUTION

A RESOLUTION TO AFFIRM THE TOWNSHIP OF EDISON'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Township of Edison to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Township of Edison has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Municipal Council of the Township of Edison that:

Section 1: No official, employee, appointee or volunteer of the Township of Edison by whatever title known, or any entity that is in any way a part of the Township of Edison shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Edison's business or using the facilities or property of the Township of Edison.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of Edison to provide services that otherwise could be performed by the Township.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Business Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Business Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Business Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Business Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township in order for the public to be made aware of this policy and the Township's commitment to the implementation and enforcement of this policy.

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO TRINITAS REGIONAL MEDICAL CENTER C.A.R.E./E.A.P FOR A COMPREHENSIVE ASSISTANCE AND REFERRAL FOR EMPLOYEES AND EMPLOYEE ASSISTANCE PROGRAM

WHEREAS, the Township of Edison has a need for professional services for assistance in the design, implementation and maintenance of a Comprehensive Assistance and Referral for Employees and Employee Assistance Program for employees of the Township for the period of January 1, 2019 thru December 31, 2019; and

WHEREAS, this contract shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

WHEREAS, Trinitas Regional Medical Center C.A.R.E./E.A.P, 300 North Ave. East, Cranford, NJ 07016 has submitted a proposal to provide such services for an amount not to exceed \$19,000.00; 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, prior to the execution of the contract, Trinitas Regional Medical Center C.A.R.E./E.A.P 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 Trinitas Regional Medical Center C.A.R.E./E.A.P has made any reportable contributions to a political or candidate committee of 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 Trinitas Regional Medical Center C.A.R.E./E.A.P from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; 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:

5. The Mayor, or his designee, is hereby authorized to execute a contract and any other necessary documents with Trinitas Regional Medical Center C.A.R.E./E.A.P, 300 North Ave. East, Cranford, NJ 07016 in the amount not to exceed \$19,000.00 for services related to the design, implementation and maintenance of a Comprehensive Assistance and Referral for Employees and Employee Assistance Program as described herein.
6. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
7. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
8. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO SUN LIFE ASSURANCE COMPANY OF CANADA FOR ADMINISTRATION SERVICES FOR SHORT TERM DISABILITY PLAN FOR THE YEAR 2019

WHEREAS, the Township of Edison has a need for administration services for management of its non workmen's compensation disability claims on a month to month basis for the year 2019; and

WHEREAS, SUN LIFE ASSURANCE COMPANY OF CANADA, One Sun Life Executive Park, Wellesley Hills, MA, 02481 has submitted a proposal to provide such services for the fee of \$3.12 per participating employee per month for an amount not to exceed \$25,000.00; and

WHEREAS, this contract shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

WHEREAS, prior to entering into a contract, SUN LIFE ASSURANCE COMPANY OF CANADA 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 SUN LIFE ASSURANCE COMPANY OF CANADA from making any reportable contributions through the term of the contract; and

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

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

9. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$25,000.00 and any other necessary documents with SUN LIFE ASSURANCE COMPANY OF CANADA, One Sun Life Executive Park, Wellesley Hills, MA, 02481 for administration services for management of its non workmen's compensation disability claims as described herein.
10. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
11. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
12. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION AUTHORIZING AN EXTRAORDINARY UNSPECIFIABLE SERVICES CONTRACT FOR PUBLIC RELATIONS INFORMATION SERVICES TO JAFFE COMMUNICATIONS INC.

WHEREAS, it is necessary for the Township of Edison to better communicate with its residents; and to raise public awareness about municipal services, programs and initiatives; and

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 a qualified communications firm, 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 “extraordinary unspecifiable services” as it may require; and

WHEREAS, Jaffe Communications Inc. (“Jaffe”) has an excellent reputation in the area of public relations and public affairs and has sufficient staff to handle communications issues which may arise from time to time in the Township; and

WHEREAS, for these reasons the Mayor and the Municipal Council recommend Jaffe as its public relations consultant and seek to enter a contract for services with Jaffe for 2019, on a month-to-month basis (“Services Contract”) to provide for same; and

WHEREAS, the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5(1)(a)(ii)*, allows for the awarding of a contract for "extraordinary unspecifiable services" without public advertising for bids, which is applicable here considering the nature of the public awareness and image consulting services and the difficulty in drafting specifications for the fulfillment of same; and

WHEREAS, prior to the execution of the contract, Jaffe Communications 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 Jaffe has made any reportable contributions to a political or candidate committee of 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 Jaffe Communications from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

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

WHEREAS, the services under the Services Contract may include, but are not limited to, public relations consulting; and

WHEREAS, compensation for the services included under the Services Contract shall be rendered at the rate of \$3,700.00 per month and an amount not to exceed \$2,000.00 for out of pocket expenses for the year in the total amount not to exceed \$46,400.00 for 2019 , as set forth 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, IT IS RESOLVED by the Municipal Council of the Township of Edison, County of Middlesex, State of New Jersey, as follows:

13. The aforementioned recitals are incorporated herein as though fully set forth at length.
14. The Mayor or his designee is hereby authorized and directed to execute the Services Contract with Jaffe Communications for public relations consulting services.

15. The Services Contract is awarded without competitive bidding as an "extraordinary unspecifiable service" under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because of the nature of the work to be done and the difficulty in drafting specifications for same.
16. No payments in excess of the "not-to-exceed" amount of \$46,400.00 will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
17. 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.
18. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.
19. In accordance with *N.J.S.A. 40A:11-5* of the Local Contracts Law, the Municipal Council hereby directs the Township Clerk to publish once in the official newspaper of the Township, a brief notice, stating the nature, duration, service and amount of the Services Contract authorized for execution herein, which notice shall state that a copy of this Resolution and the Services Contract are on file and available for public inspection in the office of the Township Clerk.
20. The Services Contract shall, for all purposes, be deemed a New Jersey contract and the provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.
21. The designated administrative official of the Township shall file a certificate as required by *N.J.A.C. 5:34-2.3* which describes why the Services Contract meets the requires requirements of *N.J.S.A. 40A:11-5(1)(a)(ii)*, which shall be kept on file in the office of the Township Clerk.

CERTIFICATION

I hereby certify that funds in the amount of **\$46,400.00** are available for the above contract in Account No. **9-01-20-0100-006-029**, subject to and contingent upon appropriation of sufficient funds in the 2019 temporary and/or permanent budget.

Nicholas Fargo
Chief Financial Officer

RESOLUTION R

EXPLANATION: A Resolution authorizing the execution of the Interlocal Health Service Contract between the Township and the County of Middlesex, for the County of Middlesex to provide a properly licensed Health Officer to the Township.

WHEREAS, the Township of Edison (the “**Township**”) is a municipal corporation of the State of New Jersey, and is authorized under the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1 et seq.* (“**Shared Services Act**”) to enter into an agreement with other local units to provide jointly (or through the agency of one of them on behalf of the other) any service which such entity may legally perform for itself; and

WHEREAS, the Middlesex County Office of Health Services (the “**County Office of Health Services**”) provides an array of public health services; and

WHEREAS, the Township is desirous of entering into a contract with the County Office of Health Services pursuant to the Shared Services Act, for health services of a technical and professional nature (the “**Contract**”), as more fully described and set forth in the Contract attached hereto as **Exhibit A**; and

WHEREAS, the County Office of Health Services shall provide properly licensed personnel within the territorial jurisdiction of the Township, specifically, the Director of the County Office of Health Services shall serve as the Township Health Officer, and will carry-out the enforcement of the local health ordinances and law, rules and regulations of the New Jersey Department of Health, for a period of two (2) years, or upon written notice by either party desiring to terminate the Contract, such notice being given no later than thirty (30) days prior to termination of the contract; and

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

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

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

Section 2. The form of the Contract is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Contract on behalf of the Township. A copy of this Resolution and the executed Agreement shall be maintained on file with the Township Clerk.

Section 3. The Township Clerk is hereby instructed to forward a copy of the signed Agreement to the Middlesex County Director-Health Officer, so that the Middlesex County Director-Health Officer may request a formal resolution from the Middlesex County Board of Chosen Freeholders in order to memorialize the Contract.

Section 4. This Resolution shall take effect immediately.

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO
ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS FOR PROFESSIONAL RISK
MANAGEMENT CONSULTING SERVICES FOR THE YEAR 2019**

WHEREAS, the Township of Edison has a need to renew the professional risk management consulting services as required in the bylaws of the Central Jersey Joint Insurance Fund for January 1, 2019 –December 31, 2019, and pursuant to N.J.S.A. 40A:10-36; and

WHEREAS, this shall be awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. Seq.; and

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition could exceed \$17,500.00; and

WHEREAS, ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS 1460 US Route 9 North, Woodbridge, NJ 07095, has submitted a proposal to provide such services for an amount not to exceed six percent (6.00%) of Edison Township's annual assessment as promulgated by the Fund not to exceed \$269,000.00; and

WHEREAS, prior to entering into a contract, ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS, 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 ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS from making any reportable contributions through the term of the contract; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract in the amount of \$269,000.00 and any other necessary documents with ACRISURE, LLC, DBA FINANCIAL INSURANCE CONSULTANTS, 1460 US Route 9 North, Woodbridge, NJ 07095 for professional risk management consulting services as described herein.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION R.

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING JANUARY 3, 2019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through January 3, 2019

FUND	AMOUNT
Current	\$14,016,261.89
Affordable Housing	0.00
Capital	81,273.93
Cash Performance	0.00
CDBG	0.00
Developers Escrow	0.00
Dog (Animal Control)	63,164.54
Federal Forfeited	0.00
Grant Funds	0.00
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	77,241.19
Sanitation Fund	77,925.20
Self Insurance	0.00
Sewer Utility	139,414.82
Tax Sale Redemption	0.00
Tree Fund	0.00
Tree Planting	0.00
Trust	342,789.89
Water Utility	1,191.09
TOTAL	\$14,799,262.55

/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

Authorizing Processing or Cancellation of Small Balances for 2019

WHEREAS, the Municipal Tax Collector informs that from time to time there are credits or delinquencies in property tax, sewer or other municipal charges on certain property located within the Township of Edison, and

WHEREAS, N.J.S.A. 40A:5-17.1 authorizes a municipal governing body to adopt a resolution designating a municipal employee to, on its behalf, process or cancel property tax refunds under ten dollars and cancel any property tax delinquencies under ten dollars, and

WHEREAS, The enactment of P.L. 2013, c.54 has expanded the scope of statute N.J.S.A. 40A:5-17.1 to encompass any delinquent charges or fees imposed by the municipality, so long as the delinquency is less than \$10.00, and

WHEREAS, that the Municipal Tax Collector is qualified, and recommends, to process said cancellation in his continuing effort to maintain the highest level of fiscal responsibility and

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Municipal Tax Collector is hereby authorized to, on its behalf, process or cancel refunds of property tax, sewer charges and other municipal charges under ten dollars (\$10.00) and cancel delinquencies of property tax, sewer charges and other municipal charges under ten dollars (\$10.00) during the calendar year of **2019** in accordance with N.J.S.A. 40A:5-17.1 as amended by P.L. 2013, c.54.

RESOLUTION

Authorizing Accelerated Tax Sale and Fees for 2019

WHEREAS, it is projected that as of November 11, **2019**, over 25% of properties located within the Township of Edison will have unpaid municipal charges (i.e. real estate taxes, sewer service charges, and/or any other charges legally imposed by municipality); and

WHEREAS, N.J.S.A. 54:5-19 requires that any unpaid taxes and/or other municipal charges that remain in arrears on the eleventh day of the eleventh month be sold at a tax sale; and

WHEREAS, Chapter 99, Public Laws allows accelerated tax lien sale as of the eleventh day of the eleventh month of the fiscal year upon passage of a resolution of the governing body; and

WHEREAS, the annual accelerated tax sale for the Township of Edison is scheduled to be held on or about **December 16th, 2018**; and

WHEREAS, the tax sale process is lengthy and costly and places a large financial burden on the general tax base; and

WHEREAS, it is the desire of the Township of Edison to hold taxpayers who cause the tax sale procedure to be held accountable for the fees associated with said sale; and

WHEREAS, N.J.S.A. 54:5-26 provides for direct mailing of the tax sale notices in-lieu of up to two (2) legal advertisements, the costs of which shall be added to the cost of the sale, not to exceed \$25.00 for each set of notices; and

WHEREAS, it is the recommendation of the Municipal Tax Collector that an appropriate direct mail cost for the **2019** tax sale would be Twenty-Five (\$25.00); and

WHEREAS, N.J.S.A. 54:5-38 provides for fees in connection with holding a tax sale, of two (2%) percent of the total of municipal charges, including all interest and penalties, to the date of sale. The two (2%) percent shall not be less than Fifteen (\$15.00) dollars nor more than One Hundred (\$100.00) dollars for each parcel sold; and

WHEREAS, N.J.S.A. 54:5-29 provides for payment prior to the tax sale to include all interest, costs and penalties;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Edison in the County of Middlesex the Tax Collector is hereby authorized to conduct an accelerated tax lien sale for Calendar Year **2019** delinquencies.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison, that in accordance with N.J.S.A. 54:5-26, the Tax Collector's office is hereby authorized to send two (2) direct mailings, in lieu of 2 advertisements, and collect a mailing fee of Twenty Five dollars (\$25.00) for each notice mailed; and

BE IT FURTHER RESOLVED, that costs of preparation, administration and advertisement, prior to the sale are hereby determined to be two (2%) percent of the total municipal charges, including all penalties and interest, but not less than Fifteen (\$15.00) dollars and not more than One Hundred (\$100.00) for each parcel.

RESOLUTION

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 **\$340,530.53**.

RESOLUTION

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 **\$1,260.55**.

RESOLUTION

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 **\$159.91**, and that this Resolution shall take effect immediately.

RESOLUTION

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal**

WHEREAS, The Office of the Tax Collector has received a successful tax appeal judgment from the Tax Court of New Jersey for the case below:

TAXPAYER	RUSSELL V & N
PROPERTY LOCATION	9 OLSEN AVE
BLOCK / LOT / QUALIFIER	590 / 13

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property has been reduced for the tax years below, as follows:

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
012061-2012	2012	500,000	463,000	(37,000)
014856-2013	2013	500,000	463,000	(37,000)
013909-2014	2014	744,200	463,000	(281,200)

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$17,368.76** for the years as follows:

TAX YEAR	TAX AMOUNT
2012	\$1,749.73
2013	\$1,767.12
2014	\$13,851.91

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 **\$17,368.76**.

RESOLUTION R.

EXPLANATION: Resolution approving the submission of a 2019 New Jersey Department of Transportation – Local Freight Impact Fund grant application and the execution of a grant agreement for the Raritan Center Road Reconstruction Project.

WHEREAS, that the Council of the Township of Edison formally approves the grant application for the 2019 New Jersey Department of Transportation – Local Freight Impact Fund grant application for the completion of the Raritan Center Road Reconstruction Project.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as [LFIF-2019-Raritan Center Road Reconstruction-00040](#) to the New Jersey Department of Transportation on behalf of the Township of Edison.

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 and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
on this 9th day of January, 2019

Clerk

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____ (Clerk) _____ (Mayor)

RESOLUTION R.

EXPLATION: Resolution approving the submission of a 2019 New Jersey Department of Transportation – Local Freight Impact Fund grant application and the execution of a grant agreement for the Heller Park Road Reconstruction Project.

WHEREAS, that the Council of the Township of Edison formally approves the grant application for the 2019 New Jersey Department of Transportation – Local Freight Impact Fund grant application for the completion of the Heller Park Road Reconstruction Project

NOW THEREFORE BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as [LFIF-2019-Heller Park Road Reconstruction -00004](#) to the New Jersey Department of Transportation on behalf of the Township of Edison.

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 and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
on this 9th day of January, 2019

Clerk

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____ (Clerk) _____ (Mayor)

RESOLUTION

EXPLANATION: This Resolution authorizes the Director of the Department of Public Works to issue a sidewalk repair notice to the owner of a property within the Township.

WHEREAS, Chapter 19-4(b) of the Code of Ordinances (the “Code”) of the Township of Edison (the “Township”) permits the Department of Public Works (the “DPW”), upon receipt of authorization from the Municipal Council, to cause a notice, in writing, to be served upon the owner or occupants of lands requiring necessary, specified work to sidewalk, curb, gutter or drywell found to be in disrepair to be done by the owner or occupant within a period of not less than thirty (30) days from the date of service of such notice; and

WHEREAS, pursuant to Code Chapter 19-4(b), the Township DPW Director has determined that the sidewalk abutting Block 1206, Lot 9.A on the tax maps of the Township, more commonly known as 1 Larchmont Rd (the “Property”), has fallen into disrepair and requires reconstruction or repair work; and

WHEREAS, the Property is owned by CHEROKEE EQUITIES LLC, which has an address of 133 Maple Ave, Red Bank, NJ - 07701; and

WHEREAS, the Township requires the aforementioned repair work to be completed in order to preserve the health and safety of Township residents.

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

1. The Township DPW Director is authorized to serve written notice on CHEROKEE EQUITIES LLC requiring necessary, specified work to the sidewalk abutting the Property within a period of not less than thirty (30) days from the date of service of such notice, pursuant to the requirements of Chapter 19-4(b) of the Code.

This Resolution shall take effect immediately

RESOLUTION

Township of Edison

NOTICE OF SALE OF ABANDONED VEHICLES AS PROVIDED IN TITLE R.S. 39:10-A-1

NOTICE IS HEREBY GIVEN that on Wednesday 01/23/2019 at 11:00 A.M. the TOWNSHIP OF EDISON will hold for auction (31) vehicles. The vehicles listed below came into possession of the TOWNSHIP OF EDISON through abandonment or failure of owners to claim and have been duly processed.

For sale are the following vehicles with a Re-Sale application (NO LIEN)

Number	Make	Model	Year	VIN
17053498	Nis	Sen	2001	3N1CB51D61L442178
17070342	Suz	Gra	2000	JS3TD62V1Y4112647
18008457	Nis	Alt	2008	1N4AL21E58C155760
18022759	Hon	Civ	2003	2HGES26773H580123
18023471	Hon	CR-V	2001	JHLRD18431S026139
18024704	Nis	Alt	2000	1N4DL01D3YC222073
18031656	Toy	Cor	2002	2T1BR12EX2C534872
18034605	Gmc	Sdn	2001	1GKDT63W012197130
18036597	Chev	150	1994	1GCEC19KXRE270554
18037075	Hon	U Ex	1999	1HGCG6672XA082626
18040184	Ford	F150	1980	F17ENGA7518
18040538	Toy	Sie	2001	4T3ZF13C81U368926
18042738	Che	Mal	2006	1G1ZS51F16F293424
18043471	Gmc	Envoy	2002	1GKDT13S622112762
18044151	Sub	Outback	2001	4S3BH806X17673536
18045253	Lin	Nav	2002	5LMEU27R12LJ06204
18046850	Nis	Alt	2008	1N4AL21E88N456138
18049280	Sub	In	2005	JF1GD296X5H513521
18051255	Hon	Ody	2000	2HKRL1866YH568281
18051453	Sub	4S	1997	4S3BD3354V9216426
18053647	Maz	Pro	2003	JM1BJ245231161844
18054020A	Ford	Tau	2004	1FAFP53UX4A114059
18054020B	Ford	F150	2005	1FTRX14W65NA75397
18056084	Dodge	Carvan	2005	2D4GP44L05R420122
18059761	Ford	Eco	1997	1FDEE1425VHB27677
18060322	Ford	E350	2002	1FBSS31L82HB06105
18060364	Nissan	Titan	2008	1N6AA06C38N309640
18060527	Inf	I30	2001	JNKCA31A61T009402
18062122	Ford	Ran	2004	1FTYR45EX4PB24374
18063434	Dod	Ram	1998	1B7HC13Y7WJ109074

For sale are the following vehicles with a JUNK TITLE (NO LIEN)

Number	Make	Model	Year	VIN
18052058	Che	C15	2002	1GNFK16Z82J123680

Vehicles may be inspected at the Edison Township Municipal Impound Yard in Edison at 745 New Durham Road the day of the sale from 8:30AM-10:00AM. (Direction can be requested – please email RSzucs@edisonpd.org). Vehicles must be removed within three (3) business days after sale. Payment is due at the time of the sale. Auction will be held at the Edison Township Municipal Complex at 100 Municipal Blvd., Edison NJ, at 11:00AM in the Edison Room, 3rd floor. Vehicles may be removed from the impound lot with a tow truck or flat bed ONLY.

RESOLUTION R.037-012019

WHEREAS, it is the duty of the Municipal Council to appoint Member to the Zoning Board of Adjustment; and

WHEREAS, the Municipal Council has selected Rosemary Feterik to be re-appointed to said Board.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Rosemary Feterik, 232 Wellington Place, Edison, NJ 08820 be and she is hereby re-appointed as a Member of the Zoning Board of Adjustment, said term to expire December 31, 2022.

RESOLUTION R.038-012019

WHEREAS, it is the duty of the Municipal Council to appoint Member to the Zoning Board of Adjustment; and

WHEREAS, the Municipal Council has selected Peter J. Skibar to be re- appointed to said Board.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Peter J. Skibar, 33A Aldrich Drive, Edison, NJ 08837 be and he is hereby re-appointed as a Member of the Zoning Board of Adjustment, said term to expire December 31, 2022.