

**MINUTES OF A REGULAR MEETING  
OF THE MUNICIPAL COUNCIL - TOWNSHIP OF EDISON**

**January 10, 2018**

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, January 10, 2018. The meeting was called to order at 7:01 p.m. by Council President Patil followed by the Pledge of Allegiance.

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

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Assistant Public Works Director Russomanno, Business Administrator Ruane, Township Engineer O'Brien, Health Director Elliott, Police Captain Schreck, Fire Chief Latham and Cameraman Cologna.

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

**APPROVAL OF MINUTES:**

On a motion made by Councilmember Lombardi, seconded by Councilmember Sendelsky and duly carried the Minutes of the Regular Meeting of October 25, 2017 and Combined Meeting of November 9, 2017 were accepted as submitted.

**COUNCIL PRESIDENT'S REMARKS:**

Council President Patil announced to everyone the Art Opening is on the 3<sup>rd</sup> Floor from 6:30-8:30pm and our annual Martin Luther King, Jr. Celebration is on Saturday, January 13, 2018 at JP Stevens High School at 1:00pm.

**ADMINISTRATIVE AGENDA:**

January 10, 2018

Honorable Members of Council  
c/o Cheryl Russomanno, Township Clerk  
100 Municipal Boulevard  
Edison, NJ 08817

Dear Members of Council:

Please be advised that I hereby appoint Mark Daniele of 32 Oak Hill Road, as Class I Member of the Planning Board. Mr. Daniele's term will expire on December 31, 2018.

Thanking you in advance for your attention to this matter.

Respectfully,

/s/ Thomas Lankey  
Mayor

Cc: Mark Daniele  
Lillian Triola, Administrative Officer, Planning Board

January 10, 2018

Honorable Members of Council  
c/o Cheryl Russomanno, Township Clerk  
100 Municipal Boulevard  
Edison, NJ 08817

Dear Members of Council:

Please be advised that I hereby appoint Jagpaviterjit Singh of 13 Yardley Place, Edison, New Jersey, 08820, as Class IV Member of the Planning Board. Mr. Singh's term will expire December 31, 2021.

Thanking you in advance for your attention to this matter.

Respectfully,

/s/ Thomas Lankey  
Mayor

Cc: Jagpaviterjit Singh  
Lillian Triola, Administrative Officer, Planning Board

January 10, 2018

Honorable Members of Council  
c/o Cheryl Russomanno, Township Clerk  
100 Municipal Boulevard  
Edison, NJ 08817

Dear Members of Council:

Please be advised that I hereby appoint Henry Xing as Second Alternate Member of the Planning Board. Mr. Xing's term will expire on December 31, 2019.

Thanking you in advance for your attention to this matter.

Respectfully,

/s/ Thomas Lankey  
Mayor

Cc: Henry Xing  
Lillian Triola, Administrative Officer, Planning Board

The above appointments were received on a motion made by Councilmember Diehl, seconded by Councilmember Sendelsky and duly carried.

**PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS**

Council President Patil opened the meeting to the public for comments on Proposed Resolutions R.004-012018 through R.042-012018.

Esther Nemitz, 162B Fay Street, R.024-012018 Heyer, Gruel & Associates on Monday there was a question about their work. Resolution R.025-012018 where is that light exactly.

Council Vice President Sendelsky explained the Resolution for Heyer & Gruel is on an month to month basis.

Mr. Northgrave explained the light is not an additional light it is improvements to be made by the Hartz Mountain property.

Fred Wolke, 10 Peake Road, Resolution R.019-012018, asked how many employees retired for this amount of money.

Ms. Ruane explained this give us authorization to go out to finance. It was about 45 employees.

Mr. Wolke thought the cap was \$15,000.00.

Ms. Ruane, we are working on changing the future. The amounts are higher due to Union Contracts.

Councilmember Gomez, the rate to borrow is low so it's a cheaper way to manage budget.

Irene Wall, 205 Fleet Avenue, regarding Resolution R.010-012018 who is this? Resolution R.013-012018 Surplus Sale when will it be taking place she needs a copier. On Retirement it should be use it or lose it although her son in law was part of that group.

Maryann Hennessey, 20 Carmello Drive, asked how are the openings for Board announced, who receives the resume's . She asked about the procedures regarding Council Sub Committee. It doesn't say the per diem amount in the resolution for the Prosecutors. She also asked about the traffic light on Route 1.

Mr. Northgrave explained this is authorizing the Mayor to appoint to cover as an alternate or conflict for our Municipal Prosecutor to cover the shift there is no cost to the town.

Council Vice President Sendelsky explained the light is for improvements not to add a new light.

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

The following Resolutions R.004-012018 through R.039-012018 were adopted under the Consent Agenda on a motion made by Councilmember Lombardi and seconded by Councilmember Sendelsky.

**RESOLUTION R.004-012018**

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

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

<b>FUND</b>	<b>AMOUNT</b>
Current	\$14,979,269.48
Sewer Utility	135,117.73
Capital	476,303.67
Grant Funds	3,208.04
Dog (Animal Control)	58,993.06
Trust	173,707.48
CDBG	0.00
Tree Fund	0.00
Payroll Deduction	564,269.73
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Sanitation Fund	226,261.85
Self Insurance	0.00
Affordable Housing	0.00
Cash Performance	0.00
Developers Escrow	24,105.26
Tree Planting	0.00
Federal Forfeited	0.00
Tax Sale Redemption	2,754.30
Water Operating Fund	936.17
Edison Landfill Closure Trust	122,463.55
<b>TOTAL</b>	<b>\$16,767,390.32</b>

/s/ Nicholas C. Fargo  
Chief Financial Officer

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that the above-referenced disbursements report is hereby approved.

**RESOLUTION R.005-012018**

**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 **\$1,122,564.65**.

**RESOLUTION R.006-012018**

**Authorizing refund for tax overpayments**

**WHEREAS**, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that on various properties located within the Township of Edison, overpayments of real estate taxes have been made due to erroneous or duplicate payments, and

**WHEREAS**, applications have been made to the Tax Collector for refunds of the said overpayments, and the Tax Collector advises that the requesters are entitled to refunds as provided the attached listing; and

**NOW THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that the aforementioned recitals are incorporated herein as though fully set forth at length.

**BE IT FURTHER RESOLVED**, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing totaling **\$54,117.98**.

**RESOLUTION R.007-012018**

**Authorizing the refund of sewer charge overpayments to certain property owners in the Township**

**WHEREAS**, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that certain property owners in the Township have overpaid for sewer use charges due to erroneous or duplicate payments totaling amounts greater than that assessed to them for the year **2017**; and

**WHEREAS**, applications have been made to the Tax Collector for refunds of the aforesaid overpayments, and the Tax Collector advises that the property owners are entitled to refunds as provided for below; 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, as follows:

1. The aforementioned Recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby authorizes the appropriate official of the Township to draw and issue checks to the person(s) in the amounts provided for below, in satisfaction of sewer charge overpayments:

Property Owner	DAI, CHANGMING & WEIDE
Property Location:	17 LAURIE LANE
Block/Lot/Qualifier	272 / 35
Sewer Account:	7017-0
Billing Year Period	2014 half 1 <sup>st</sup> and 2 <sup>nd</sup>
Amount to be Refunded:	\$ 613.59

<b>GRAND TOTAL</b>	<b>\$ 613.59</b>

3. This Resolution shall take effect immediately.

**RESOLUTION R.008-012018**

**TEMPORARY BUDGET APPROPRIATIONS**

**WHEREAS**, the Local Budget Law, specifically N.J.S.A. 40A:4-19, requires that the governing body of a municipality shall by Resolution make appropriations if any contract, commitments or payments are to be made between the beginning of the Calendar year and the adoption of 2018 budget; and

**WHEREAS**, the date of this resolution is within the first 30 days of the calendar year, and

**WHEREAS**, the total amount of 2018 temporary budget is not in excess of 26.25% of 2017 budget, exclusive of debt service, capital improvement fund and public assistance.

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

<u>CURRENT FUND</u>	<u>AMOUNT</u>
BUSINESS ADMINISTRATOR Salary	131,423.08
BUSINESS ADMINSTRATOR Other Expenses	26,259.98
PURCHASING Salary	49,559.57
PURCHASING Other Expenses	24,200.66
PURCHASING CENTRAL STORE Other Expenses	16,365.30
COMMUNICATIONS/EDISON TV Salary	28,926.01
COMMUNICATIONS/EDISON TV Other Expenses	14,542.50
PERSONNEL/HR Salary	35,276.93
PERSONNEL/HR Other Expenses	2,533.13
MAYOR Salary	10,495.80
MAYOR Other Expenses	630.00
COUNCIL Salary	20,259.75
COUNCIL Other Expenses	1937.25
MUNICIPAL CLERK Salary	36,874.95
MUNICIPAL CLERK Other Expenses	33,626.25
ETHICS COMMISSION Other Expenses	958.13
FINANCE DEPARTMENT Salary	2,047.50
FINANCE DEPARTMENT Other Expenses	32,878.13
DISBURSEMENTS Salary	42,723.09
DISBURSEMENTS Other Expenses	1,261.05

PAYROLL Salary	11,783.10
PAYROLL Other Expenses	570.15
AUDIT SERVICES	18,923.10
DATA PROCESSING Other Expenses	12,468.75
TAX COLLECTION Salary	55,225.27
TAX COLLECTION Other Expenses	7,919.63
TAX ASSESSMENT Salary	67,991.18
TAX ASSESSMENT Other Expenses	43,837.50
LEGAL DEPARTMENT Salary	27,043.01
LEGAL DEPARTMENT Other Expenses	194,250.00
ENGINEERING SERVICES Salary	118,589.79
ENGINEERING SERVICES Other Expenses	75,253.76
PLANNING BOARD Other Expenses	6,090.00
ENVIRONMENTAL COMM Other Expenses	341.25
ZONING BOARD Other Expenses	6,877.50
PLANNING & ZONING DEPT Salary	100,111.39
PLANNING & ZONING Other Expenses	26,775.00
CONSTRUCTION ENFORC AGENCY Salary	371,226.24
CONST ENF AGENCY Other Expenses	87,491.25
RENT CONTROL BOARD Salary	3,937.50
RENT CONTROL BOARD Other Expenses	367.50
GROUP HEALTH INSURANCE	5,836,844.20
EMPLOYEE SALARY AND WAGES(WAIVERS)	164,352.44
UNEMPLOYMENT INSURANCE EXPENSE	52,500.00
INSURANCE & SURETY Expense	874,785.69
LOSAP-Other Expenses	26,250.00
POLICE DEPARTMENT Salary	6,859,415.43
POLICE DEPARTMENT Other Expenses	244,794.38
DISPATCH 911 Salary	527,681.45
DISPATCH 911 Other Expenses	128,770.95
OFFICE OF EMRGNCY MGMT Other Expenses	3,937.50
AID TO VOL FIRE	28,875.00
AID TO VOL FIRST AID	27,562.50
FIRE FIGHTING Salary	4,745,493.87
FIRE FIGHTING Other Expenses	256,755.19
FIRE PREVENTION Salary	85,149.57
FIRE PREVENTION Other Expenses	31,893.75
FIRE HYDRANT CHARGES	406,203.00
STREETS & ROADS Salary	347,782.29

STREETS & ROADS Other Expenses	85,260.00
SOLID WASTE RECYCLING Salary	250,204.18
SOLID WASTE RECYCLING Other Expenses	16,235.63
BUILDINGS & GROUNDS Salary	342,584.32
BUILDINGS & GROUNDS Other Expenses	60,900.00
MUNICIPAL GARAGE Salary	208,803.24
MUNICIPAL GARAGE Other Expenses	25,173.75
POLICE VEHICLES Salary	55,305.08
POLICE VEHICLES Other Expenses	60,598.13
CONDO COMMUNITY COSTS	42,000.00
HEALTH Salary	421,141.31
HEALTH Other Expenses	33,311.25
SENIOR CITIZEN Salary	92,261.59
SENIOR CITIZEN Other Expenses	10,434.38
RECREATION Salary	387,182.83
RECREATION Other Expenses	152,860.58
PARKS & TREES Salary	243,419.18
PARKS & TREES Other Expenses	21,078.75
FREE PUBLIC LIBRARY Salary	648,658.24
FREE PUBLIC LIBRARY Other Expenses	736,974.79
CELEBRATION OF PUBLIC EVENTS EXPENSES	16,012.50
PUBLIC BUILDINGS HEAT,LIGHT,POWER	248,290.61
STREET LIGHTING EXPENSE	288,750.00
PUBLIC BUILDINGS TELEPHONE	65,625.00
FUEL & LUBRICANTS Other Expenses	214,159.31
CONTINGENT Expense	13,125.00
PERS Expense	411,872.23
O.A.S.I. (SOCIAL SECURITY) Expense	437,564.64
Defined Contribution Retirement Program Expenses	8,925.00
PFRS Expenses	2,345,922.17
MUNICIPAL COURT Salary	162,762.24
MUNICIPAL COURT Other Expenses	13,930.88
PUBLIC DEFENDER Salary	9,187.50
PUBLIC DEFENDER Other Expenses	525.00
TOTAL CURRENT FUND	<u><u>30,529,938.45</u></u>

<u>SEWER UTILITY FUND</u>	<u>AMOUNT</u>
SEWER Salary	485,033.59
SEWER Other Expenses	1,328,448.76
SEWER Sewerage Disposal Charges	2,756,250.00
SEWER Public Emp Retirement Sys (PERS)	251,002.00
SEWER Social Security (OASI)	39,375.00
<b>TOTAL SEWER UTILITY FUND</b>	<b><u><u>4,860,109.35</u></u></b>

<u>SANITATION FUND</u>	<u>AMOUNT</u>
SANITATION Salary	669,375.00
SANITATION Other Expenses	912,860.96
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	627,071.55
SANITATION Public Emp Retirement Sys (PERS)	184,700.00
SANITATION Social Security (OASI)	52,500.00
SANITATION Disposal Fees	420,000.00
<b>TOTAL SANITATION FUND</b>	<b><u><u>2,866,507.51</u></u></b>

**RESOLUTION R.009-012018**

**EXPLANATION: A Resolution authorizing the entering of a Shared Services Agreement with the Borough of Highland Park for the Township of Edison’s provision of animal control services.**

**WHEREAS**, the Township of Edison (the “Township”) is a municipal corporation of the State of New Jersey 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**, in the spirit of mutual cooperation, the Township has the capacity to and seeks to provide animal control services, including the regulation, collection and housing of stray animals, to the Borough of Highland Park (“Highland Park” and, together with the Township, the “Parties”), for the purpose of promoting efficiency in government and reducing each Party’s respective expense for such services; and

**WHEREAS**, in furtherance, the Parties desire to enter a Shared Services Agreement (“Agreement,” in the form attached hereto as *Exhibit A*) pursuant to the Shared Services Act to establish the terms of the Township’s provision of animal control services to Highland Park; and

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

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

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

Section 2. The form of the Agreement is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor to execute the Agreement 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 Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, for informational purposes, in accordance with the Shared Services Act.

Section 4. This Resolution shall take effect immediately.

**RESOLUTION R.010-012018**

**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 2018 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 2018 year.
3. This Resolution shall take effect immediately.

**RESOLUTION R.011-012018**

**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 R.012-012018**

**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, 2018 thru December 31, 2018; 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 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 entering into a 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 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 Trinitas Regional Medical Center 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 and any other necessary documents with Trinitas Regional Medical Center C.A.R.E./E.A.P for services related to the design, implementation and maintenance of a Comprehensive Assistance and Referral for Employees and Employee Assistance Program 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.013-012018**

**RESOLUTION OF THE TOWNSHIP OF EDISON AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, The Township of Edison has determined that the property described on Schedule A and incorporated herein is no longer needed for public use; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

**WHEREAS**, the Township of Edison intends to utilize the online auction services of US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, PO BOX 1216 Eatontown, NJ 07724, web address [www.usgovbid.com](http://www.usgovbid.com), for the amount of three and one half percent (3 1/2%) of the receipt of sales; and

**WHEREAS**, the sales are being conducted pursuant to the Division of Local Government Services Local Finance Notice 2008-9 – Revised October, 2011.

**NOW, THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison, State of New Jersey, as follows:

1. The Township of Edison is hereby authorized to sell the surplus personal property as indicated on Schedule A on the online auction website entitled US GOVBID, A DIVISION OF AUCTION LIQUIDATION SERVICES, [www.usgovbid.com](http://www.usgovbid.com).
2. The terms and conditions of the sale are available at [www.usgovbid.com](http://www.usgovbid.com).
3. That a certified copy of this Resolution be forwarded to the Division of Local Government Services.

**RESOLUTION R.014-012018**

**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 2017 AND ADDITIONAL SERVICES AS NEEDED IN 2018**

**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 \$110,000.00 for the fiscal 2017 audit, as well as an amount not to exceed \$35,000.00 for additional services needed in 2018; 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 \$110,000.00 for the fiscal year 2017 audit, and not to exceed \$35,000.00 for additional services as needed in 2018, 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.015-012018**

**WHEREAS**, Mr. Donald Corrette was appointed to the Planning Board by Mayor Thomas Lankey in January 2017; and

**WHEREAS**, the letter of appointment is stated to expire December 31, 2017; and

**WHEREAS**, the term expiration is incorrect and should read December 31, 2018

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council, Township of Edison that Donald Corrette’s term on the Planning Board be corrected to December 31, 2018.

**RESOLUTION R.016-012018**

**WHEREAS**, Deepak Belani has been appointed by Mayor Thomas Lankey as a member of the Library Board of Trustees; and

**WHEREAS**, said term is one year to expire December 31, 2018; and

**WHEREAS**, this resolution requests the advice and consent of council;

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council, Township of Edison that Deepak Belani of 3406 Springbrook Road, Edison, New Jersey 08820, be appointed as a member of the Library Board of Trustees with a term to expire on December 31, 2018.

**RESOLUTION R.017-012018**

**WHEREAS**, Neville Arestani has been appointed by Mayor Thomas Lankey as a member of the Library Board of Trustees; and

**WHEREAS**, said term is for 5 years to expire December 31, 2022; and

**WHEREAS**, this resolution requests the advice and consent of council;

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council, Township of Edison that Neville Arestani, 20 Melbloum Lane, Edison, New Jersey 08837, be appointed as a member of the Library Board of Trustees with a term to expire on December 31, 2022.

**RESOLUTION R.018-012018**

**WHEREAS**, pursuant to N.J.S.A. 40:55D-23(a), a Class III Member of the Planning Board must be appointed by the Governing Body; and

**WHEREAS**, the Municipal Council must make such appointment to said Board;

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the Township of Edison that they do hereby ratify and confirm the appointment of Councilmember Joseph Coyle to serve as the Class III Council Representative Member of the Edison Township Planning Board for a term of one year ending December 31, 2018.

**RESOLUTION R.019-012018**

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,380,000 SPECIAL EMERGENCY NOTES FOR THE COSTS OF THE ACCRUED SICK AND VACATION TIME EXPENSES ARISING FROM THE RETIREMENT OF SEVERAL EMPLOYEES OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.**

**BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

An ordinance authorizing a special emergency appropriation of \$1,380,000 for costs of the accrued sick and vacation time expenses arising from the retirement of several employees, including all legal expenses and related costs has been finally adopted and a copy thereof has been filed with the Director of Local Government Services.

In order to finance the special emergency appropriation described in Section 1 of this resolution, the Township of Edison is hereby authorized to borrow the sum of \$1,380,000 and to issue its special emergency notes therefor in accordance with the Local Budget Law of New Jersey (N.J.S.A. 40A:4-55).

The special emergency notes authorized by this resolution may be issued in amounts and denominations not exceeding in the aggregate the amount of notes authorized herein, as determined by the chief financial officer of the Township pursuant to this resolution.

The Township may finance the special emergency appropriation from surplus funds available or may borrow money in a manner prescribed herein. Where an appropriation is financed from surplus funds available, at least one-fifth of the amount thereof shall be included in each annual budget until the appropriation has been fully provided for.

The following matters in connection with the notes are hereby determined:

(a) All notes issued hereunder and any renewals thereof shall mature at such time as may be determined by the chief financial officer within the limitations of the Local Budget Law, provided however, that at least one-fifth of all such notes and the renewals thereof shall mature and be paid in each year so that all notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of this resolution;

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer;

(c) The notes shall be in the form determined by the chief financial officer and the chief financial officer's signature upon the notes shall be conclusive as to such determination;

The chief financial officer is hereby authorized and directed to determine all matters in connection with the notes not determined by this or a subsequent resolution and the chief financial officer's signature upon the notes shall be conclusive as to such determination.

The chief financial officer is hereby authorized to sell the notes from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Any instrument issued pursuant to this resolution shall be a general obligation of the Township of Edison. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

The chief financial officer is authorized and directed to report in writing to this governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

A copy of this resolution as adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

The Township hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the notes, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the notes. The Chief Financial Officer is hereby authorized to act on behalf of the Township to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Township hereby declares the intent of the Township to use the proceeds to pay or reimburse expenditures for the costs of the purposes described this resolution. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

This resolution shall take effect immediately.

#### **RESOLUTION R.020-012018**

#### **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 2018 ("**Services Contract**," as attached hereto as *Exhibit A*) to provide for same; and

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

**WHEREAS**, prior to the execution of the Services Contract, 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 2018 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.

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

#### **CERTIFICATION**

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2018 calendar year, funds in the amount of \$265,000.00 are available in Account No:8-01-20-0155-001-027

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.021-012018****EXPLANATION: THIS RESOLUTION AWARDS A PROFESSIONAL SERVICES CONTRACT TO APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C. FOR SPECIAL LABOR COUNSEL SERVICES.**

**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 employment law and has sufficient legal staff to handle employment law matters which may arise from time to time in the Township; and

**WHEREAS**, Counsel 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 2018 (“**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, Counsel 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 2018 calendar year.
5. No payments in excess of the “not-to-exceed” amount of \$10,000.00 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.

**CERTIFICATION**

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2018 calendar year, funds in the amount of \$10,000.00 are available in Account No:8-01-20-0155-001-027.

/s/Nicholas Fargo  
Chief Financial Officer

**RESOLUTION R.022-012018**

**EXPLANATION: This Resolution awards a Professional Services Contract to Maser Consulting P.A. to provide general engineering services for the period from January 2018 to December 2018, 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 2018 until December 2018, 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 2018 until December 2018, 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.023-012018**

**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 2018 (“**Services Contract**,” as attached hereto as Exhibit A) to provide for same; and

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

**WHEREAS**, prior to the execution of the Services Contract, 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 2018 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.

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

#### **CERTIFICATION**

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2018 calendar year, funds in the amount of \$190,000.00 are available in Account No: 8-01-20-0155-001-027.

/s/ Nicholas C. Fargo  
Chief Financial Officer

**RESOLUTION R.024-012018**

**EXPLANATION: This Resolution awards a Professional Services Contract to Heyer, Gruel & Associates on a month-to-month basis, for a period of time up to one (1) year.**

**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 community planning 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 “professional services” as it may require; and

**WHEREAS**, Heyer, Gruel & Associates (“**Heyer**”) has an excellent reputation in the area of redevelopment, urban design and master planning and has sufficient staff to handle the community planning projects which may arise from time to time in the Township; and

**WHEREAS**, for these reasons the Mayor and the Municipal Council recommend Heyer as its planning consultant and seek to enter a contract for services with Heyer on a month-to-month basis, for a period of time up to one (1) year (“**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, Susan S. Gruel, P.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 Heyer 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 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, community planning and consulting; and

**WHEREAS**, compensation for the consulting services included under the Services Contract shall be rendered at the hourly rate of \$150.00 to \$175.00 per hour for principals; \$135.00 to \$145.00 per hour for senior planners; \$110.00 to \$130.00 per hour for associate planners/urban designers; and \$90.00 to \$110.00 per hour for assistant planners, 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 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 Heyer for the community planning and consulting services.
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 on a month-to-month basis, for a period of time up to one (1) year.
5. No payments in excess of the “not-to-exceed” amount of \$100,000.00 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. 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.
- 9. Heyer shall notify the Business Administrator of the Township when eighty percent (80%) of the “not-to-exceed” amount is attained.
- 10. This Resolution shall take effect immediately.

**CERTIFICATION**

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2017 calendar year, funds in the amount of \$100,000.00 are available in Account No: **8-01-21-0186-000-028**.

/s/ Nicholas Fargo  
Chief Financial Officer

**RESOLUTION R.025-012018**

**EXPLANATION: This Resolution authorizes the Mayor to execute a Traffic Signal Agreement among the Township of Edison, Edison Land Investment, LLC and the State of New Jersey Department of Transportation for the installation, at no cost to the Township, of traffic control signals at Block 198-L, Lots 37.01, 37.02, 37.03 and 37.04 (more commonly known as the intersection of Route 1 and Edison Towne Square Drive), as shown on the Township of Edison tax maps.**

**WHEREAS**, a traffic condition exists at the intersection of Route 1 and Edison Towne Square Driveway, in the Township of Edison (“Township”), in the County of Middlesex, which requires the installation and operation of a semi-actuated traffic control signal with pedestrian push buttons and areas of presence detection in order to minimize the possibility of accidents; and

**WHEREAS**, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

**WHEREAS**, the State of New Jersey has indicated its willingness to install a traffic signal system at said location, and at no cost to the Township; and

**WHEREAS**, the State of New Jersey has proposed a form of Traffic Signal Agreement (“Agreement”) pertaining to maintenance of said traffic signal;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Clerk of the Township, be and are hereby authorized to enter into the Agreement, a copy of which is attached hereto and made a part hereof as Exhibit A, with Edison Land Investment, LLC and the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid.

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.

2. This Resolution shall take effect immediately.

**RESOLUTION R.026-012018**

**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, 2018 and concluding December 31, 2018.**

**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, 2018 and concluding December 31, 2018 in accordance with N.J.S.A. 2B:25-4, to be assigned in the discretion of the Chief Municipal Prosecutor.

**RESOLUTION R.027-012018**

**EXPLANATION: Resolution Refunding Cash Performance Bond & Performance Bond to Markim Developers, LLC. Application # P5066, 308-310 Plainfield Road Bond #35191 and Account #7763342505 after a Bond Reduction R.327-042016**

**WHEREAS**, the Township Engineer advises that an inspection has been made of 308-310 Plainfield Road Application #P5066 Block: 557.E: Lot 29, and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and after a bond reduction R.327-042016

**WHEREAS**, the Township Engineer, recommends the release of the balance Cash Performance Check posted on June 1,2015 in the amount of **\$466.20**, plus accrued interest, if applicable, on deposit in account **#7763342505** with the Township of Edison, principal being Markim Developers, LLC having offices at 910 Amboy Avenue, Edison, NJ 08837., and acceptance of the subject improvements; and

**BE IT FURTHER RESOLVED** that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Cash Performance balance in the amount of **\$466.20** plus accrued interest, if applicable, on deposit in account **#7763342505** to the applicant.

**WHEREAS**, the Township Engineer recommends release of balance of the performance bond **No. 35191** posted on February 11, 2015 of the Service Insurance Company, Inc. in the amount of the balance **\$4,195.80**

**RESOLUTION R.028-012018**

**EXPLANATION: Resolution Returning the Performance Bond to Markim Developers ,910 Amboy Avenue , NJ 08837 Application #P5164 Performance Surety Bond #39466**

**WHEREAS**, Markim Developers posted; Enclosed is a Performance Surety Bond #39666 dated October 3, 2016 of The Service Insurance Co, in the amount of \$26,503.20, posted by Markim LLC. This is the surety portion of the performance guarantee.

**WHEREAS**, An inspection has been revealed all improvements to be complete and in conformance to township standards: therefore, it is now in order that final acceptance is granted and the Performance Bond presently being held by the Township be released.

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON**, that the Township Clerk and the Director of Finance be and is hereby authorized to return the aforesaid Surety Bond **#39366** in the amount of **\$26,503.20** to The Service Insurance Company, 80 Main Street , Suite 330 , West Orange, NJ 07052.

**RESOLUTION R.029-012018**

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

**WHEREAS**, on September 28,2016, a Construction Permit fee, check #11678, permit #2016-3782, was posted in the total amount of \$157.00 by the contractor, 1800 Water Heaters Inc., having offices at 2 Gourmet Lane, Edison NJ 08837; and

**WHEREAS**, the application was submitted for a hot water heater at 306 Woodhaven Dr., by the hired contractor; 1800 Water Heaters, who did not make known to the Construction Code Enforcement Division that the homeowner, Thomas Palmer, is a bonafide Edison Senior Resident who is eligible for

Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$155.00, derived from the \$157.00 total construction permit fee less the \$2.00 DCA fee, be refunded to the contractor 1800 Heaters Inc.; and

**WHEREAS**, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2016-3782, in the amount of \$155.00 for the referenced application;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$155.00 on construction permit fees posted by 1800 Heaters Inc. for 306 Woodhaven Dr. be refunded to the contractor;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$155.00 from the Refund of Revenue Fund to the Contractor, 1800 Water Heaters Inc., having offices at 2 Gourmet Lane, Edison NJ, 08837.

**RESOLUTION R.030-012018**

**RESOLUTION ACCEPTING BID AND AWARING CONTRACT TO AIR BRAKE AND EQUIPMENT FOR TRUCK TRANSMISSION REPAIR/REBUILD**

**WHEREAS**, bids were received by the Township of Edison on November 28, 2017 for Public Bid No. 17-09-07-Truck Transmission Repair/Rebuild for the Department of Public Works; and

**WHEREAS**, AIR BRAKE AND EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

**WHEREAS**, the total amount of the first year and any succeeding renewal year shall not exceed \$45,000.00, and cannot be encumbered at this time; and

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

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

**WHEREAS**, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid submitted by AIR BRAKE AND EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205 for Truck Transmission Repair/Rebuild for the Department of Public Works, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$45,000.00 for the first year and any succeeding renewal year and any other necessary documents, with AIR BRAKE AND EQUIPMENT as described herein.

**RESOLUTION R.031-012018**

**RESOLUTION ACCEPTING BID AND AWARING A CONTRACT TO FINGERS RADIATOR HOSPITAL INC. FOR THE FURNISHING OF HEAVY DUTY TRUCK PARTS**

**WHEREAS**, bids were received by the Township of Edison on October 11, 2017 for Public Bid No. 17-08-05- Heavy Duty Truck Parts; and

**WHEREAS**, FINGERS RADIATOR HOSPITAL INC., 2006 Route 1, North Brunswick, NJ 08902, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

**WHEREAS**, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

**WHEREAS**, the total amount of the first year and any succeeding renewal year shall not exceed \$20,000.00, and cannot be encumbered at this time; and

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

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

**WHEREAS**, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid submitted by FINGERS RADIATOR HOSPITAL INC., 2006 Route 1, North Brunswick, NJ 08902 for Heavy Duty Truck Parts is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00, for the first year and any succeeding renewal year and any other necessary documents with FINGERS RADIATOR HOSPITAL INC.
3. The Purchasing Agent is hereby authorized to rebid those items not awarded.

**RESOLUTION R.032-012018**

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO R & H TRUCK PARTS & SERVICE, INC. FOR THE FURNISHING OF HEAVY DUTY TRUCK PARTS**

**WHEREAS**, bids were received by the Township of Edison on October 11, 2017 for Public Bid No. 17-08-05- Heavy Duty Truck Parts; and

**WHEREAS**, R & H TRUCK PARTS & SERVICE, INC., 356A State Route 31, Flemington, NJ 08822, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

**WHEREAS**, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

**WHEREAS**, the total amount of the first year and any succeeding renewal year shall not exceed \$20,000.00, and cannot be encumbered at this time; and

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

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

**WHEREAS**, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid submitted by R & H TRUCK PARTS & SERVICE, INC., 356A State Route 31, Flemington, NJ 08822 for Heavy Duty Truck Parts is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00, for the first year and any succeeding renewal year and any other necessary documents, with R & H TRUCK PARTS & SERVICE, INC.
3. The Purchasing Agent is hereby authorized to rebid all remaining items.

**RESOLUTION R.033-012018**

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CAMPBELL FREIGHTLINER, LLC FOR THE FURNISHING OF HEAVY DUTY TRUCK PARTS**

**WHEREAS**, bids were received by the Township of Edison on October 11, 2017 for Public Bid No. 17-08-05-Heavy Duty Truck Parts; and

**WHEREAS**, CAMPBELL FREIGHTLINER, LLC, 1015 Cranbury South River Road, South Brunswick, NJ 08831, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

**WHEREAS**, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

**WHEREAS**, the total amount of the first year and any succeeding renewal year shall not exceed \$40,000.00, and cannot be encumbered at this time; and

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

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

**WHEREAS**, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid submitted by CAMPBELL FREIGHTLINER, LLC, 1015 Cranbury South River Road, South Brunswick, NJ 08831 for Heavy Duty Truck Parts is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$40,000.00, for the first year and any succeeding renewal year and any other necessary documents, with CAMPBELL FREIGHTLINER, LLC.
3. The Purchasing Agent is hereby authorized to rebid all remaining items.

**RESOLUTION R.034-012018**

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO AIR BRAKE AND EQUIPMENT FOR THE FURNISHING OF HEAVY DUTY TRUCK PARTS**

**WHEREAS**, bids were received by the Township of Edison on October 11, 2017 for Public Bid No. 17-08-05- Heavy Duty Truck Parts; and

**WHEREAS**, AIR BRAKE AND EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

**WHEREAS**, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

**WHEREAS**, the total amount of the first year and any succeeding renewal year shall not exceed \$30,000.00, and cannot be encumbered at this time; and

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

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

**WHEREAS**, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid submitted by AIR BRAKE AND EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205 for Heavy Duty Truck Parts is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$30,000.00, for the first year and any succeeding renewal year and any other necessary documents, with AIR BRAKE AND EQUIPMENT.
3. The Purchasing Agent is hereby authorized to rebid all remaining items.

**RESOLUTUON R.035-012018**

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO BROWN'S HUNTERDON INTERNATIONAL, LLC FOR THE FURNISHING OF HEAVY DUTY TRUCK PARTS**

**WHEREAS**, bids were received by the Township of Edison on October 11, 2017 for Public Bid No. 17-08-05- Heavy Duty Truck Parts; and

**WHEREAS**, BROWN'S HUNTERDON INTERNATIONAL, LLC, P.O. Box 98/963 Route 173, Bloomsbury, NJ 08804 submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

**WHEREAS**, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

**WHEREAS**, the total amount of the first year and any succeeding renewal year shall not exceed \$20,000.00, and cannot be encumbered at this time; and

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

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

**WHEREAS**, the Township Council accepts Edison Township's recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid submitted by BROWN’S HUNTERDON INTERNATIONAL, LLC, P.O. Box 98/963 Route 173, Bloomsbury, NJ 08804 for Heavy Duty Truck Parts is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00, for the first year and any succeeding renewal year and any other necessary documents, with BROWN’S HUNTERDON INTERNATIONAL, LLC.
3. The Purchasing Agent is hereby authorized to rebid all remaining items.

**RESOLUTION R.036-012018**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO ABSOLUTE FIRE PROTECTION COMPANY FOR EMERGENCY VEHICLE REPAIRS**

**WHEREAS**, bids were received by the Township of Edison on December 19, 2017 for Public Bid No.17-10-02RRR-Emergency Vehicle Repairs for the Township of Edison; and

**WHEREAS**, ABSOLUTE FIRE PROTECTION COMPANY, 2800 Hamilton Blvd., South Plainfield, NJ 07080 submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

**WHEREAS**, the total amount of the first year and any succeeding renewal year shall not exceed \$200,000.00, and cannot be encumbered at this time; and

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

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

**WHEREAS**, the Township Council accepts Edison Township’s recommendations as described herein and as submitted on the summary spreadsheet.

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

1. All bids have been reviewed, and the bid submitted by ABSOLUTE FIRE PROTECTION COMPANY, 2800 Hamilton Blvd., South Plainfield, NJ 07080 for Emergency Vehicle Repairs for the Township of Edison, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$200,000.00 for the first year and any succeeding renewal year and any other necessary documents, with ABSOLUTE FIRE PROTECTION COMPANY as described herein.

**RESOLUTION R.037-012018**

**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 01/24/2018 at 11:00 A.M. the TOWNSHIP OF EDISON will hold for auction (30) 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)

<b>Number</b>	<b>Make</b>	<b>Model</b>	<b>Year</b>	<b>VIN</b>
15039512	Nis	Gxe	1997	4N2DN1111D839345
16057048	Chevy	Colbolt	2006	1G1AL15F167857158

17012172	Ford	Tau	2002	1FADP55U92A133292
17016113	Nis	Sen	2004	3N1CB51D44L839053
17017814	MB	CL3	2008	WDBTJ56H28F238671
17023285	Inf	G20	2001	JNKCP11A51T406859
17025950	Isu	Npr	2003	JALC4B14937011037
17027926	Chevy	Mal	2006	1G1ZT51886F268406
17030304	Hon	Civ	1996	1HGCD5631TA164647
17035667	Nis	Sen	1995	1N4AB41D9SC716216
17037528	Chy	Seb	2002	1C3EL56R92N235989
17038600	Gmc	Sie	2001	2GTEK19V911398402
17038737	BMW	328	2007	WBAVC93517KZ72338
17040655	Lin	Sig	1999	1LNHM82W8XY618665
17043413	Hon	Civ	2001	1HGEM22921L007468
17043434	Sub	N/A	1998	JF1GC4357WH500614
17047297	Ford	Taur	2001	1FAFP55291A264882
17049423	Ford	Xpl	2000	1FMZU83P0YZC63532
17050837	Hyd	XG5	2004	KMHFU45E54A296039
17054373	Nis	Alt	2004	1N4AL11D24C149510
17056335	Ford	Tau	2002	1FAFP56S22A102561
17057336	Chev	Ast	2001	1GCDM19W21B106359
17058568	Dodge	150	2001	1B7HF16Y61S174729
17058919	BMW	325	2006	WBAVD13506KV05537
17060202	Toy	Ava	2001	4T1BF28B51U183877
17068410	Nis	Atn	1999	1N4DL01D0XC193291

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

Number	Make	Model	Year	VIN
17030671	Acu	Rsx	2004	JH4DC53034S015263
17033660	Acu	Rsx	2002	JH4DC53072C035748
17036043	Hon	Civ	1997	1HGEJ612XVL078332
17036863	Jeep	GC	1997	1J4GZ78S9VC746448

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](mailto: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, 3<sup>rd</sup> floor. Vehicles may be removed from the impound lot with a tow truck or flat bed ONLY.

**RESOLUTION R.038-012018**

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO VAMSI AVVA FOR THE ABC PROGRAM**

**WHEREAS** Vamsi Avva made payment in the amount of \$300.00 for her child Sanjay Avva’s participation in the ABC Program at John Marshall Elementary School for the month of January 2018; and **WHEREAS** the child was removed from the program in December because the family moved; and **WHEREAS** payment was already made for the month of January.

**NOW; THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$300.00 to Vamsi Avva, 96 Edgefield Dr., Morris Plains, NJ 07950, which represents the amount for the ABC Program.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

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

**RESOLUTION R.039-012018**

**WHEREAS**, Church of Our Lady of Peace, has requested a waiver of any and all permit and/or application fees for installation of a new Power Vent Water heater, Ford Avenue, Fords,

**WHEREAS**, under the building code, Church of Our Lady of Peace as a non-profit tax exempt organization, is entitled to a waiver of fees due to the Township of Edison, except the DCA fee; and

**WHEREAS**, the Municipal Council of the Township of Edison feels that it would be appropriate to waive of any applicable fees;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township of Edison, that it does hereby waive of any application fees for Power Vent Water Heater, except the DCA fee, due to the Township of Edison as a result of the application being submitted by Church of Our Lady of Peace.,

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

NAYS - None

Councilmember Diehl asked to pull Resolution R.040-012018, R.041-012018 and R.042-012018. He wants to know what happened. As far as he understood from the discussion on Monday Worksession we would come up with a system that would be fair. He is not opposed to the candidates for the Zoning Board, just disappointed there wasn't communication to the council members. He would expect a little more transparency and communication.

Councilmember Lombardi, after the meeting Monday the questions was unclear. He spoke to Council President Patil and a sub- committee was formed and set up interviews at 6:00pm tonight. The sub -committee was Councilmembers Lombardi, Sendelsky and Council President Patil.

Council President Patil as he stated on Monday, he will research what the process was in the past. He contacted the Clerk and Ms. Ruane and followed that process.

Councilmember Joshi, he echoed what Councilmember Diehl, glad there was a sub-committee. He trust their ability.

The following Resolutions will be voted upon separately:

**RESOLUTION R.040-012018**

**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 Asaf Shmuel to be appointed to said Board.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Asaf Shmuel, 17 Fairhill Road, Edison, NJ 08817 be and he is hereby appointed as a Member of the Zoning Board of Adjustment, said term to expire December 31, 2021.

**RESOLUTION R.041-012018**

**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 Sarjil Mansuri to be appointed to said Board.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that Sarjil Mansuri, 235 Conway Street, Edison, NJ 08820 be and he is hereby appointed as a Member of the Zoning Board of Adjustment, said term to expire December 31, 2021.

**RESOLUTION R.042-012018**

**WHEREAS**, it is the duty of the Municipal Council to appoint 2<sup>nd</sup> Alternate Member to the Zoning Board of Adjustment; and

**WHEREAS**, the Municipal Council has selected Ashwani Bedi to be appointed to said Board.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison, Middlesex County, New Jersey, that 13 Melbloum Lane, Edison, NJ be and he is hereby appointed as a Member of the Zoning Board of Adjustment, said term to expire December 31, 2018.

A motion was made by Councilmember Lombardi seconded by Councilmember Coyle to adopt these Resolutions.

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

NAYS - None

**ORAL PETITIONS AND REMARKS**

Council President Patil opened the meeting for public comment.

Bruce Diamond, 74 Calvert Avenue, he was watching Monday night meeting but he didn't expect you would be voting on the board applications.

Councilmember Lombardi, all the applicants application were sent to all of us.

Mr. Diamond, Councilmember Coyle you have big shoes to fill on the Planning Board.

Syeda Jaffry, 5 Hollywood Street, she moved here about 15 years ago and attends the program for the Disabled Adults Workshop at Stelton Community Center where the condition are very bad.

Council Vice President Sendelsky, we have purchased a new building for the program just awaiting the closing.

Marilyn O'Connor, 15 Outcalt Road, asked for an update from the Subcommittee on Amazon.

Councilmember Diehl, he has received more emails should have some answers by next meeting.

Lisa Bukachevsky, 11 Outcalt Road, she would like to speak to subcommittee after meeting.

Gloria S. Dittman, 15 Midland Road, wishes everyone a Happy and Healthy 2018. Edison Art Society is celebrating their 20<sup>th</sup> Anniversary this year. They are looking for support for their next project which is to build a Sculpture Garden at Lake Papaiani. They need to raise \$50,000 for the first sculpture which is approximately 20' tall and 7' wide. It is a representation of a family – mom, dad and three children. You can reach Gloria at 732-548-9134 and or mail donation to Edison Arts Society, 15 Midland Road, Edison, NJ 08820. We hope to unveil the scripture by mid to late June 2018.

Councilmember Coyle, great idea you have his full support.

John Poyner, Roosevelt Blvd., next Thursday, and the third of every month, the Environmental Commission has their meeting in the Edison Room on the 3<sup>rd</sup> floor.

Maryann Hennessey, 20 Carmello Drive, asked about the Resolution of Recognition for the teacher at JP Steven High School who won the \$100,000. She asked Councilmember Lombardi about renewing the resolution regarding the pipeline. She thanked Councilmember Diehl for his work on Top Golf.

Esther Nemitz, 162B Fay Street, she would like to see the resume of the Zoning Board Members. Clara Barton Library is in need of repairs.

Irene Wall, 205 Fleet Avenue, she congratulated Sam Joshi as a new councilmember. She has pictures of the open gate at 10 Olsen Avenue.

Mr. Northgrave, we are continuing issuing summons. We cannot go on their property.

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

Having no further business to discuss, on a motion made by Councilmember Sendelsky seconded by Councilmember Gomez, the meeting was adjourned at 8:45p.m.

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Ajay Patil  
Council President

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Cheryl Russomanno, RMC  
Municipal Clerk