

**AGENDA  
MUNICIPAL COUNCIL  
REGULAR MEETING  
Wednesday, January 11, 2017  
7:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on January 4, 2017 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **APPROVAL OF MINUTES:**
  - a. Combined Meeting of December 28, 2016
  - b. Closed Session Meeting of December 12, 2016
  - c. Closed Session Meeting of December 28, 2016
  - d. Re-Organization Meeting of January 4, 2017
5. **COUNCIL PRESIDENT'S REMARKS**
6. **ADMINISTRATIVE AGENDA:  
FROM MAYOR THOMAS LANKEY:**
  - a. Re-appointment of John Soltesz as a Class II Member of the Planning Board.
  - b. Re-appointment of Sheri Orenberg-Ruggieri as a Class IV Member of the Planning Board
7. **RESOLUTION OF RECOGNITION:**

Resolution R.004-012017 – Eagle Scout Steven Zederbaum
8. **PUBLIC COMMENT ON THE RESOLUTIONS:**
9. **PROPOSED RESOLUTIONS**

Copies of these Resolutions are available for review only and are posted in the Council Chambers. Anyone desiring a copy may contact the Township Clerk after the meeting.

**Consent Agenda**

- R.005-012017 Resolution authorizing refund in the amount of \$620,622.34 for redemption of tax sale certificates.
- R.006-012017 Resolution authorizing refund for tax overpayments totaling \$12,178.66

- R.007-012017 Temporary Budget Appropriations
- R.008-012017 Resolution authorizing Processing or Cancellation of Small Balances for 2017
- R.009-012017 Resolution authorizing Accelerated Tax Sale and Fees for 2017
- R.010-012017 Resolution fixing of Interest, Grace Period and Year End Penalty for Tax and Sewer
- R.011-012017 Resolution authorizing a Professional Services Contract for Independent Auditor Services to Hodulik and Morrison, PA for the Audit of Fiscal Year 2016 and additional services as needed in 2017.
- R.012-012017 Resolution authorizing Additional Funds for a Professional Service Contract for Veterinary Services/Clinics to People for Animals in an amount exceed \$20,000.00.
- R.013-012017 Award of contract for HVAC Maintenance and Repair for Libraries to AME, inc. in an amount not to exceed \$45,000.00.
- R.014-012017 Award of a Non- Fair and Open Contract for Comprehensive Assistance and referral for Employees and Employee Assistance Program to Trinitas Regional Medical Center C.A.R.E./E.A.P.
- R.015-012017 Award of Contract/Purchase Order for the furnishing of Walk-In Building supplies to Lowes in an amount not to exceed \$40,000.00
- R.016-012017 Award of Contract for Insurance Broker to CBIZ in an amount not to exceed \$100,000.00.
- R.017-012017 Resolution authorizing the Sustainable Jersey Grant funded by PSE & G to develop and submit an application for the 2017 PSE & G Sustainable Jersey Small Grant Program for funding not to exceed \$20,000.00. The focus of this grant application is to obtain fiscal support for the green/sustainable Edison Papianni Park Revitalization Project.
- R.018-012017 Resolution to affirm the Townships 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.
- R.019-012017 Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2014 – June 2019.
- R.020-012017 Resolution awards a Professional Services Contract to McManimon, Scotland & Baumann, LLC and designates William W. Northgrave, Esq. of the firm to represent the Township of Edison as Township Attorney in the amount of \$290,000.00.
- R.021-012017 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 in the amount of 265,000.00.
- R.022-012017 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 in the amount of \$190,000.00.

- R.023-012017 Resolution designating redeveloper and authorizing execution of the Redevelopment Agreement with Federal Business Centers, Inc. regarding the area in need of redevelopment known on the Township Tax Maps as Block 390.DD, Lot 8.B (aka 225 Raritan Center Parkway).
- R.024-012017 Resolution reappointing Gary Price, Esq. as a Municipal Court Judge.
- R.025-012017 Resolution reappointing Mary H. Casey, Esq. as a Municipal Court Judge.
- R.026-012017 Resolution reappointing Parag P. Patel, Esq. as a Municipal Court Judge.
- R.027-012017 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 in the amount of \$100,000.00.
- R.028-012017 Resolution provides for a Senior Resident refund of the Certificate of Occupancy to Evelyn Sayani for 53 College Drive in the amount of \$150.00.
- R.029-012017 Award of Contract/Purchase Order for the purchase of One (1) 2017 Ford Transit-350 Cargo Van to DFFLM, LLC in the amount of \$28,334.00.
- R.030-012017 Resolution authoring the Federal Highway Safety Fund 2018 Grant Application and Initiative between October 1, 2017 – September 30, 2018.
- R.031-012017 Resolution authorizing the 2018 Pedestrian Safety Enforcement and Education Grant Application and Initiative July 1, 2017 to May 31, 2018.

10. **COMMUNICATIONS:**

- a. Letter received from the Edison Township Open Space Advisory Committee regarding Deed Restriction on Block 2-E Lot 3.013.

11. **ORAL PETITIONS AND REMARKS**

12.. **ADJOURNMENT**

**RESOLUTION R.005-012017**

**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 **\$620,622.34**.

**RESOLUTION R.006-012017**

**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 **\$12,178.66**.

**RESOLUTION R.007-012017**

**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 2017 budget; and

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

**WHEREAS**, the total amount of 2017 temporary budget is not in excess of 26.25% of 2016 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.

<b><u>CURRENT FUND</u></b>	<b><u>AMOUNT</u></b>
BUSINESS ADMINISTRATOR Salary	111,125.06
BUSINESS ADMINSTRATOR Other Expenses	6,770.66
PURCHASING Salary	46,941.97
PURCHASING Other Expenses	24,022.16
PURCHASING CENTRAL STORE Other Expenses	16,496.55
COMMUNICATIONS/EDISON TV Salary	27,634.49
COMMUNICATIONS/EDISON TV Other Expenses	13,387.50
PERSONNEL/HR Salary	34,195.46
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	1,937.26
MUNICIPAL CLERK Salary	41,740.09
MUNICIPAL CLERK Other Expenses	30,279.38
ETHICS COMMISSION Other Expenses	603.75
FINANCE DEPARTMENT Salary	2,047.50
FINANCE DEPARTMENT Other Expenses	43,929.38

DISBURSEMENTS Salary	36,801.01
DISBURSEMENTS Other Expenses	288.75
PAYROLL Salary	11,478.60
PAYROLL Other Expenses	0.00
AUDIT SERVICES	18,923.00
DATA PROCESSING Other Expenses	12,468.75
TAX COLLECTION Salary	52,218.87
TAX COLLECTION Other Expenses	7,205.63
TAX ASSESSMENT Salary	50,331.33
TAX ASSESSMENT Other Expenses	43,785.00
LEGAL DEPARTMENT Salary	11,555.51
LEGAL DEPARTMENT Other Expenses	194,250.00
ENGINEERING SERVICES Salary	121,823.36
ENGINEERING SERVICES Other Expenses	41,391.27
PLANNING BOARD Other Expenses	6,562.50
ENVIRONMENTAL COMM Other Expenses	78.75
ZONING BOARD Other Expenses	6,798.75
PLANNING & ZONING DEPT Salary	68,015.17
PLANNING & ZONING Other Expenses	26,512.50
CONSTRUCTION ENFORC AGENCY Salary	277,795.60
CONST ENF AGENCY Other Expenses	84,866.25
RENT CONTROL BOARD Salary	3,937.50
RENT CONTROL BOARD Other Expenses	367.50
GROUP HEALTH INSURANCE	7,612,881.36
EMPLOYEE SALARY AND WAGES(WAIVERS)	151,462.50
UNEMPLOYMENT INSURANCE EXPENSE	52,500.00
INSURANCE & SURETY Expense	2,561,305.00
LOSAP-Other Expenses	26,250.00

POLICE DEPARTMENT Salary	6,282,873.42
POLICE DEPARTMENT Other Expenses	238,008.76
DISPATCH 911 Salary	532,614.34
DISPATCH 911 Other Expenses	126,880.95
OFFICE OF EMRGNCY MGMT Other Expenses	4,068.75
AID TO VOL FIRE	28,875.00
AID TO VOL FIRST AID	27,562.50
FIRE FIGHTING Salary	4,476,705.86
FIRE FIGHTING Other Expenses	262,118.08
FIRE PREVENTION Salary	79,672.87
FIRE PREVENTION Other Expenses	29,988.00
FIRE HYDRANT CHARGES	396,294.94
STREETS & ROADS Salary	321,335.18
STREETS & ROADS Other Expenses	85,260.00
SOLID WASTE RECYCLING Salary	257,678.73
SOLID WASTE RECYCLING Other Expenses	16,235.63
BUILDINGS & GROUNDS Salary	356,389.53
BUILDINGS & GROUNDS Other Expenses	59,718.75
MUNICIPAL GARAGE Salary	207,830.44
MUNICIPAL GARAGE Other Expenses	25,173.75
POLICE VEHICLES Salary	53,091.41
POLICE VEHICLES Other Expenses	60,598.13
CONDO COMMUNITY COSTS	42,000.00
HEALTH Salary	375,188.39
HEALTH Other Expenses	33,166.90
SENIOR CITIZEN Salary	87,937.56
SENIOR CITIZEN Other Expenses	10,198.14



RECREATION Salary	396,279.37
RECREATION Other Expenses	147,049.39
PARKS & TREES Salary	207,001.18
PARKS & TREES Other Expenses	21,078.75
FREE PUBLIC LIBRARY Salary	585,035.06
FREE PUBLIC LIBRARY Other Expenses	785,681.93
CELEBRATION OF PUBLIC EVENTS EXPENSES	15,750.00
PUBLIC BUILDINGS HEAT,LIGHT,POWER	248,448.11
STREET LIGHTING EXPENSE	288,750.00
PUBLIC BUILDINGS TELEPHONE	65,625.00
FUEL & LUBRICANTS Other Expenses	216,784.31
CONTINGENT Expense	13,125.00
PERS Expense	411,771.65
O.A.S.I. (SOCIAL SECURITY) Expense	437,564.64
MUNICIPAL COURT Salary	145,088.57
MUNICIPAL COURT Other Expenses	13,405.88
PUBLIC DEFENDER Salary	7,612.50
PUBLIC DEFENDER Other Expenses	525.00
TOTAL CURRENT FUND	<u><u>30,400,926.70</u></u>

**SEWER UTILITY FUND**

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**AMOUNT**

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SEWER Salary	485,033.59
SEWER Other Expenses	1,404,495.25
SEWER Sewerage Disposal Charges	2,756,250.00
SEWER Public Emp Retirement Sys (PERS)	251,002.00
SEWER Social Security (OASI)	39,375.00
TOTAL SEWER UTILITY FUND	<hr/> <u>4,936,155.84</u> <hr/>

**SANITATION FUND**

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**AMOUNT**

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SANITATION Salary	669,375.00
SANITATION Other Expenses	969,485.26
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	627,071.55
SANITATION Public Employee Retirement Sys (PERS)	184,700.00
SANITATION Social Security (OASI)	52,500.00
SANITATION Disposal Fees	446,250.00
TOTAL SANITATION FUND	<hr/> <u>2,949,381.81</u> <hr/>

**RESOLUTION R.008-012017**

**Authorizing Processing or Cancellation of Small Balances for 2017**

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that the Municipal Tax Collector is hereby authorized to, on its behalf, process or cancel refunds of property tax, sewer charges and other municipal charges under ten dollars (\$10.00) and cancel delinquencies of property tax, sewer charges and other municipal charges under ten dollars (\$10.00) during the calendar year of **2017** in accordance with N.J.S.A. 40A:5-17.1 as amended by P.L. 2013, c.54.

**RESOLUTION R.009-012017**

**Authorizing Accelerated Tax Sale and Fees for 2017**

**WHEREAS**, it is projected that as of November 11, 2017, over 25% of properties located within the Township of Edison will have unpaid municipal charges (i.e. real estate taxes, sewer service charges, and/or any other charges legally imposed by municipality); and

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

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

**WHEREAS**, the annual accelerated tax sale for the Township of Edison is scheduled to be held on or about December 18<sup>th</sup>, 2017; and

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

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

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

**WHEREAS**, it is the recommendation of the Municipal Tax Collector that an appropriate direct mail cost for the 2017 tax sale would be Twenty-Five (\$25.00); and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Edison in the County of Middlesex the Tax Collector is hereby authorized to conduct an accelerated tax lien sale for Calendar Year 2017 delinquencies.

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

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

**RESOLUTION R.010-012017**

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, by the Municipal Council of the Township of Edison, that in accordance with N.J.S.A. 54:4-66 et seq, the rate of interest to be charged on delinquent taxes and all other municipal liens or charges for the first, second, third and fourth quarterly installments of year **2017** shall be eight percent (8%) per annum on the first \$1,500.00 of delinquency and eighteen percent (18%) per annum on any amount in excess of \$1,500.00 to be calculated from the date the tax was payable until the date of actual payment to the collector is received provided that no interest shall be charged if payment of any installment is made on or before the tenth calendar day following the date upon which same became payable; and

**BE IT FURTHER RESOLVED**, that the rate of interest on unpaid sewer utility for **2017** bills shall be eighteen percent (18%) per annum on any delinquency to be calculated from the date the bill was payable until the date of actual payment, provided that no interest shall be charged if payment of any bill is made within thirty (30) calendar days following the billing date or before the tenth calendar day following the date upon which same became payable, whichever is later; and

**BE IT FURTHER RESOLVED**, that a penalty of six percent (6%) be charged on all delinquent municipal charges in excess of \$10,000.00 that are not paid prior to the end of **2017** calendar year.

**RESOLUTION R.011-012017**

**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 2016 AND ADDITIONAL SERVICES AS NEEDED IN 2017**

**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 \$107,900.00 for the fiscal 2016 audit, as well as an amount not to exceed \$30,000.00 for additional services needed in 2017; and

**WHEREAS**, Hodulik and Morrison, P.A's hourly rates are \$135 per hour for Principal, \$115 per hour for Senior Accountant and \$95 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 \$107,900.00 for the fiscal year 2016 audit, and not to exceed \$30,000 for additional services as needed in 2017, 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.012-012017**

**RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR A PROFESSIONAL SERVICE CONTRACT TO PEOPLE FOR ANIMALS FOR VETERINARY SERVICES/CLINICS IN AN AMOUNT NOT TO EXCEED \$20,000.00**

**WHEREAS**, PEOPLE FOR ANIMALS, 401 Hillside Ave., Hillside, NJ 07205 was awarded a Professional Service Contract for Veterinary Services/Clinics on July 23, 2016 through Resolution R.504-072016 for the period of October 12, 2016 through October 11, 2017 in the amount of \$27,000.00 and that amount has been depleted; and

**WHEREAS**, additional funds in the amount of \$20,000.00 are required to replenish and complete the one year term of the contract, and until such a time as we award a new contract; and

**WHEREAS**, the Township recommends an additional amount not to exceed \$20,000.00 with all prices as well as all terms and conditions to remain the same; and

**WHEREAS**, the total amount of this contract, not to exceed \$20,000.00, cannot be encumbered at this time; and

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

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

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

**NOW, THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Edison the Mayor, or his designee, is hereby authorized to amend and execute the contract in the amount not to exceed \$20,000.00 and any other necessary documents with PEOPLE FOR ANIMALS described herein.

**RESOLUTION R.013-012017**

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO A.M.E., INC. FOR HVAC MAINTENANCE AND REPAIR-LIBRARIES**

**WHEREAS**, bids were received by the Township of Edison on November 10, 2016 for Public Bid No. 16-03-01-HVAC Maintenance and Repair-Libraries; and

**WHEREAS**, A.M.E., INC., 1275 Bloomfield Ave., Bldg. 2, Suite 17B, Fairfield, NJ 07004, submitted the lowest legally responsible, responsive bid; and

**WHEREAS**, the Edison Township Public Library reviewed the bids and the Board of Trustees accepted the low bidder, A.M.E., INC.; and

**WHEREAS**, the initial contract shall be for one year from execution of the contract with the option to renew for the second year at the sole discretion of the Township and Library Board at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds for the second year; and

**WHEREAS**, the total amount of the first year and the succeeding year should it be renewed, shall not exceed \$45,000.00 (\$39,900.00 for monthly maintenance fees and \$5,100.00 for additional work; and

**WHEREAS**, the total amount of this contract, not to exceed \$45,000.00, per contract year; 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 the Library Boards and 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 A.M.E., INC., 1275 Bloomfield Ave., Bldg. 2, Suite 17B, Fairfield, NJ 07004 for HVAC Maintenance and Repair-Libraries, 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 the succeeding renewal year as well as any other necessary documents, with A.M.E., INC. as described herein.



**RESOLUTION R.014-012017**

**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, 2017 thru December 31, 2017; 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**, Trinitas Regional Medical Center C.A.R.E./E.A.P has 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:

5. The Mayor, or his designee, is hereby authorized to execute a contract and any other necessary documents with Trinitas Regional Medical Center C.A.R.E./E.A.P for services related to the design, implementation and maintenance of a Comprehensive Assistance and Referral for Employees and Employee Assistance Program as described herein.
6. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
7. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
8. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

**RESOLUTION R.015-012017**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO LOWES HOME CENTERS LLC  
FOR THE FURNISHING OF WALK-IN BUILDING SUPPLIES FOR THE TOWNSHIP OF EDISON**

**WHEREAS**, there is a need to purchase industrial, janitorial and hardware supplies for the Township of Edison; and

**WHEREAS**, LOWES HOME CENTERS LLC, 1605 Curtis Bridge Road, Mailcode ABECS, Wilkesboro NC 28697, has been awarded State Contract Number 82951 under M-8001/Walk-In Building Supplies; and

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

**WHEREAS**, the total amount of this contract, not to exceed \$40,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$40,000.00 and any other necessary documents, with LOWES HOME CENTERS LLC, 1605 Curtis Bridge Road, Mailcode ABECS, Wilkesboro, NC 28697 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract, No. 82951 under M-8001.

**RESOLUTION R.016-012017**

**RESOLUTION AWARDING CONTRACT TO CBIZ, INC. FOR INSURANCE BROKER**

**WHEREAS**, the Township of Edison advertised on the Township website for Request for Proposals on October 12, 2016, for RFP 16-10, INSURANCE BROKER with a bid opening date of October 27, 2016 and three (3) proposals were received; and

**WHEREAS**, after review and evaluation of said bids it has been recommended by the Township that the contract be awarded to CBIZ, INC., 2421 Atlantic Avenue, Suite 101, Manasquan, NJ 08736 at a price of \$2.98 per employee per month for this two year contract; and

**WHEREAS**, the total amount of this two year contract, not to exceed \$100,000.00 (\$50,000.00 per year) cannot be encumbered at this time; and

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

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

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

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

1. All proposals have been reviewed, and the proposal as submitted by CBIZ, INC., 2421 Atlantic Avenue, Suite 101, Manasquan, NJ 08736 is determined to be the lowest, responsible, responsive proposal for an INSURANCE BROKER.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$100,000.00, and any other necessary documents, with CBIZ, INC. in accordance with their proposal.

**EXPLANATION:** A Resolution of Support from the Municipal Council of the Township of Edison, authorizing the Sustainable Jersey™ Grant, funded by PSE&G, to develop and submit an application to the 2017 PSE&G Sustainable Jersey Small Grant Program, for funding not to exceed \$20,000.00. The focus of this grant application is to obtain fiscal support for the green/sustainable Edison Papianni Park Revitalization Project.

### **RESOLUTION R.017-012017**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the Township of Edison strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

**WHEREAS, the Township of Edison is a certified, Bronze Level participant of the Sustainable Jersey Program; and**

**WHEREAS**, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues and therefore created a public initiative titled: the *2017 PSE&G Sustainable Jersey Small Grants Program*; and

**WHEREAS, though no matching funds are required of the Township of Edison to participate in the 2017 PSE&G Sustainable Jersey Small Grants Program, other private and public grants are being sought for the fiscal support of the Edison Papianni Park Revitalization Project; and**

**WHEREAS, the Municipal Council of the Township of Edison has determined that the Township of Edison should develop and submit a viable application to the 2017 PSE&G Sustainable Jersey Small Grants Program, in order to support local green/sustainable initiatives.**

**NOW, THEREFORE, BE IT RESOLVED**, that the Municipal Council of the Township of Edison, State of New Jersey, authorizes the development and submission of an application to the 2017 Sustainable Jersey Small Grant Program, funded by PSE&G, for an amount not to exceed **\$20,000.00**, at a regularly-scheduled, public meeting, on January 11, 2017.

### **Sustainable Jersey**

The Sustainable Jersey Program is the product of a coalition of public and private organizations and agencies, throughout New Jersey, working together to identify the actions municipalities need to pursue in order to become green and sustainable, develop the guidance resources that will be needed in order to initiate such efforts, as well as to assist them to progress and build upon their successes. The Small Grants Program is one of many resources provided to municipalities through Sustainable Jersey.

**RESOLUTION R.018-012017**

**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.

**Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July 2014-June 2019**

**RESOLUTION R.019-012017**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Township of Edison Council, County of Middlesex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Township of Edison Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Township of Edison Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Middlesex;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Edison Council, County of Middlesex, State of New Jersey hereby recognizes the following:

1. The Township of Edison Council does hereby authorize submission of a strategic plan for the Edison Municipal Alliance grant for fiscal year 2018 in the amount of:

DEDR	\$85,447.00
Cash Match	\$21,361.75
In-Kind	\$64,085.25
  
2. The Township of Edison Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: \_\_\_\_\_  
*Thomas Lankey, Mayor*

**CERTIFICATION**

I, Cheryl Russomanno, Municipal Clerk of the Township of Edison, County of Middlesex, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township of Edison Council on this \_\_\_ day of January, 2017.

\_\_\_\_\_  
*Cheryl Russomanno, Municipal Clerk*

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

**RESOLUTION R.020-012017**

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

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

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

**WHEREAS**, for these reasons the Mayor and the Municipal Council recommend William W. Northgrave, Esq. for the position of Township Attorney and seek to enter a contract for legal services with Counsel for 2017 (“**Services Contract**,” as attached hereto as Exhibit A) to provide for same; and

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

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

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

**WHEREAS**, compensation for local unit general counsel services included under the Services Contract shall be rendered at the flat rate of \$25,000.00, payable in twelve (12) monthly installments at the first Municipal Council meeting of each month, and shall include advising the Municipal Council; preparing routine resolutions and ordinances; rendering opinions; attending Municipal Council meetings and other matters as defined and delineated by Sections 2-71.2 thru 2.71.7 of the Township Code and the Services Contract; and

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

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

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



1. The Mayor and Township Clerk are hereby authorized and directed to execute the Services Contract with Counsel, whereby William W. Northgrave, Esq. shall represent the Township as Township Attorney.
2. The Services Contract is awarded without competitive bidding as a “professional service” under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.
3. A certificate showing the availability of funds for the Services Contract authorized hereby has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2017 calendar year.
4. No payments in excess of the “not-to-exceed” amount of \$290,000.00 will be approved, unless such services/expenditures are negotiated and agreed upon in advance of service delivery.
5. Any modification to the Services Contract shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.
6. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.
7. The Services Contract shall, for all purposes, be deemed a New Jersey contract and any provisions of the Services Contract shall be governed and interpreted according to the laws of the State of New Jersey.
8. This Resolution shall take effect immediately.

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

#### **CERTIFICATION**

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2017 calendar year, funds in the amount of \$290,000.00 are available in Account No: \_\_\_\_\_

\_\_\_\_\_  
Nicholas C. Fargo  
Chief Financial Officer

**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.

**RESOLUTION R.021-012017**

**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 2017 (“**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 2017 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 2017 calendar year, funds in the amount of \$265,000.00 are available in Account No \_\_\_\_\_

\_\_\_\_\_  
Nicholas C. Fargo  
Chief Financial Officer

**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.

**RESOLUTION R.022-012017**

**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 2017 (“**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 2017 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 2017 calendar year, funds in the amount of \$190,000.00 are available in Account No. \_\_\_\_\_

\_\_\_\_\_  
Nicholas C. Fargo  
Chief Financial Officer

**EXPLANATION:** A Resolution designating redeveloper and authorizing execution of the Redevelopment Agreement with Federal Business Centers, Inc. regarding the area in need of redevelopment known on the Township tax maps as Block 390.DD, Lot 8.B (aka 225 Raritan Center Parkway).

### **RESOLUTION R.023-012017**

**WHEREAS**, the Municipal Council (the “**Municipal Council**”) of the Township of Edison (the “**Township**”) pursuant to *N.J.S.A. 40A:12A-14*, authorized the Planning Board of the Township (the “**Planning Board**”) to determine whether Block 390.DD, Lot 8.B within the Township (aka 225 Raritan Center Parkway) met the statutory criteria for designation as an “area in need of redevelopment” (the “**Study Area**”) pursuant to the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (“**Redevelopment Law**”); and

**WHEREAS**, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A. 40A:12A-14*; and

**WHEREAS**, the Planning Board found that the Study Area satisfied certain statutory criteria and thus constituted an area in need of rehabilitation in accordance with *N.J.S.A. 40A:12A-14*; and

**WHEREAS**, on June 22, 2016 the Municipal Council adopted Resolution 477-062016 which designated the Study Area as an “area in need of redevelopment” pursuant to the Redevelopment Law (“**Redevelopment Area**”); and

**WHEREAS**, on October 13, 2016, the Municipal Council adopted Ordinance O.1946-2016 by which it accepted the findings of the Planning Board and adopted, in accordance with the Redevelopment Law, a redevelopment plan entitled “225 Raritan Center Parkway Redevelopment Plan” prepared by Heyer, Gruel & Associates (the “**Redevelopment Plan**”); and

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-4*, the Township has determined to act as the “**Redevelopment Entity**” (as such term is defined at *N.J.S.A. 40A:12A-3*) for the Redevelopment Area to exercise the powers contained in the Redevelopment Law; and

**WHEREAS**, Federal Business Centers, Inc. (the “**Redeveloper**”) desires to be designated as the “redeveloper” (as such term is defined in the Redevelopment Law) to implement the construction of a 190,293 square foot warehouse with certain ancillary improvements (the “**Project**”); and

**WHEREAS**, Redeveloper is the fee title owner of the Redevelopment Area; and

**WHEREAS**, the Township has determined that the Redeveloper meets all necessary criteria, including financial capabilities, experience, and expertise to implement and complete the rehabilitation of the Project in accordance with the Redevelopment Plan and all other applicable laws, ordinances and regulations; and

**WHEREAS**, the Township and Redeveloper have negotiated the terms and conditions of a redevelopment agreement governing the Redeveloper’s rehabilitation of the Project (the “**Redevelopment Agreement**”); and

**WHEREAS**, the Township has determined the Project to be in the vital and best interests of the Township, and that it promotes the health, safety, morals and welfare of the Township’s residents; and

**WHEREAS**, the Township desires to designate the Redeveloper as the redeveloper of the Project and to authorize the execution of the Redevelopment Agreement,

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

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

**Section 2.** The Municipal Council hereby authorizes the execution of a redevelopment agreement with the Redeveloper in substantially the form attached hereto as **Exhibit A** and by this reference incorporated herein.

**Section 3.** The Mayor is authorized to execute the Redevelopment Agreement with the Redeveloper in substantially the same form as the Redevelopment Agreement attached hereto, with such additions, deletions and modifications as the Mayor may determine necessary upon consultation with counsel and the Redeveloper.

**Section 4.** Federal Business Centers, Inc., is hereby designated as the redeveloper of the Project, subject to the execution of the Redevelopment Agreement.

**Section 5.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

**Section 6.** A copy of this Resolution shall be filed and available for public inspection at the in the offices of the Township.

**Section 7.** This Resolution shall take effect immediately.

**EXPLANATION:**This Resolutions Grants The Township Council's Advice And Consent To The Re-Appointment Of Gary Price, Esq. As Municipal Judge For The Township Of Edison.

**RESOLUTION R.024-012017**

**BE IT RESOLVED** that the Township Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby grant its advice and consent to the re-appointment of Gary Price, Esq. as Municipal Judge for a three (3) year term expiring August 13, 2018.



**EXPLANATION:**This Resolutions Grants The Township Council's Advice And Consent To The Re-Appointment Of Mary H. Casey, Esq. As Municipal Judge For The Township Of Edison.

**RESOLUTION R.025-012017**

**BE IT RESOLVED** that the Township Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby grant its advice and consent to the re-appointment of Mary H. Casey, Esq. as Municipal Judge for a three (3) year term expiring October 16, 2018.

**EXPLANATION:**This Resolutions Grants The Township Council's Advice And Consent To The Re-Appointment Of Parag P. Patel,Esq. As Municipal Judge For The Township Of Edison.

**RESOLUTION R.026-012017**

**BE IT RESOLVED** that the Township Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby grant its advice and consent to the re-appointment of Parag P. Patel, Esq. as Municipal Judge for a three (3) year term expiring August 13, 2018.

**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.

**RESOLUTION R.027-012017**

**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.

**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 2017 calendar year, funds in the amount of \$100,000.00 are available in Account No. \_\_\_\_\_

\_\_\_\_\_  
Nicholas Fargo  
Chief Financial Officer

**EXPLANATION:** This resolution provides for Senior Resident refund of the Certificate of Occupancy.

**RESOLUTION R.028-012017**

**WHEREAS**, on October 18,2016, a Certificate of Occupancy fee was posted in the total amount of \$150.00 by the homeowner of 53 College Drive on a VISA credit card. ; and

**WHEREAS**, the application was submitted by the homeowner who did not make known to the Construction Code Enforcement Division that the homeowner, Evelyn Sayani, is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on Certificate of Occupancy, per the Edison Municipal Code, chapter 2-128.3; and

**WHEREAS**, appropriate documents have been submitted to the Township indicating that the homeowner is a bonafide senior resident it is therefore appropriate that the municipal Certificate of Occupancy fee in the amount of \$150.00, be refunded to the homeowner; and

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the Township of Edison that the sum not to exceed \$150.00 on Certificate of Occupancy fees posted by the homeowner for 53 College Dr. be refunded ;

**BE IT FURTHER RESOLVED**, that the Director of Finance be and is hereby authorized to refund the said amount of \$150.00 from the Refund of Revenue Fund to the homeowner, Evelyn Sayani.

**RESOLUTION R.029-012017**

**RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO DFFLM, LLC FOR THE PURCHASE OF ONE (1) 2017 FORD TRANSIT-350 CARGO VAN FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, there is a need to purchase one (1) 2017 Ford Transit - 350 Cargo Van for the Department of Public Works; and

**WHEREAS**, DFFLM, LLC, 215 Route 202 & 31, Flemington, NJ 08822, has been awarded State Contract Number 88211 under T-2103/Vehicles, Cargo Vans, Class 1/2/3, Regular and Extended; and

**WHEREAS**, the Township of Edison intends to enter into a contract/purchase order with DFFLM, LLC for the purchase of one (1) 2017 Ford Transit - 350 Cargo Van at a price not to exceed of \$28,334.00; and

**WHEREAS**, funds in the amount of \$28,334.00 have been certified to be available in the Acquisition of Public Works Equipment Account, Number C-04-15-1914-310-000; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$28,334.00, and any other necessary documents, with DFFLM, LLC, 215 Route 202 & 31, Flemington, NJ 08822 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract, No. 88211 under T-2103.

**CERTIFICATION OF AVAILABILITY OF FUNDS**

I hereby certify that funds in the amount of \$28,334.00 are available for the above in Account No. **C-04-15-1914-310-000**.

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Nicholas C. Fargo  
Chief Financial Officer

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Date

**RESOLUTION R.030-012017**

**Federal Highway Safety Fund 2018  
Grant Application and Initiative**

**WHEREAS**, the Division of Police wishes to apply for grant funding not to exceed \$20,000.00 to provide additional manpower hours for speed enforcement as well as to combat distracted driving and to purchase speed enforcement equipment; and

**WHEREAS**, an enforcement crackdown is planned to reduce violations related to speeding and distracted driver's to reduce the number of crashes and potential fatalities related to these offenses; and

**WHEREAS**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the grant; and

**WHEREAS**; the project will involve increased enforcement from October 1, 2017 through September 30, 2018; and

**WHEREAS**; an increase in enforcement will reduce accidents and save lives on our roadways;

**THEREFORE**, be it resolved that the Edison Township Council and the Division of Police declares its support for the grant application and participation in the Federal Highway Safety Fund Grant Program 2018.

**BE IT FURTHER RESOLVED**, that the Business Administrator be and is hereby authorized to sign the aforesaid grant application for and on behalf of the Township of Edison.

**RESOLUTION R.031-012017**

***2018 Pedestrian Safety Enforcement and Education  
Grant Application and Initiative***

**WHEREAS**, the Division of Police wishes to apply for grant funding not to exceed the amount of \$20,000.00 to provide additional manpower hours to educate the public in pedestrian laws, increased enforcement of traffic laws, and additional signage; and

**WHEREAS**, in 2013, 4,735 pedestrians were killed in traffic accidents in the United States and more than 66,000 pedestrians were injured; and

**WHEREAS**, between 2009 – 2015, 20 pedestrians have lost their lives on Edison roadways, and

**WHEREAS**, an enforcement crackdown is planned to combat traffic violations related to pedestrian laws; and

**WHEREAS**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the Pedestrian Safety Grant; and

**WHEREAS**; the project will involve increased enforcement and education from July 1, 2017 through May 31, 2018; and

**WHEREAS**; an increase in education and enforcement will save pedestrians lives on our roadways;

**THEREFORE**, be it resolved that the Edison Township Council and the Division of Police declares it's support for the grant application and participation in *The Pedestrian Safety Grant Program FY 2018* from July 1, 2017 through May 31, 2018 and pledges to increase awareness of pedestrian safety laws.

**BE IT FURTHER RESOLVED**, that the Business Administrator be and is hereby authorized to sign the aforesaid grant application for and on behalf of the Township of Edison.



