

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

March 23, 2016

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, March 23, 2016. The meeting was called to order at 7:02 p.m. by Council President Lombardi, followed by the Pledge of Allegiance.

Present were Councilmembers Diehl, Gomez, Karabinchak, Lombardi, Patil, Sendelsky and Shah.

Also present were Township Clerk Russomanno, Deputy Township Clerk Kenny, Township Attorney Nee, Business Administrator Ruane, Health Director Elliott, Recreation Director Halliwell, Township Engineer Kataryniak, Public Works Director Haines, Police Captain Shannon, 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 12, 2015 and posted in the Main Lobby of the Municipal Complex on the same date.

APPROVAL OF MINUTES:

On a motion made by Councilmember Karabinchak, seconded by Councilmember Diehl, Councilmember Patil and Councilmember Sendelsky abstained the Minutes of the Combined Meeting of November 9, 2015 and December 21, 2015 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS:

Council President Lombardi said following the Pledge of Allegiance he asked for a moment of silence for the victims in the attack in Belgium and also wished everyone a Happy Easter.

Council President Lombardi first introduced the new member of our staff in the Clerk's office Ana Collazo and we are also saying goodbye to another member of our Clerk's office, Robin Kenny, Deputy Clerk is retiring, this is her last meeting. He told everyone the journey Robin had with the town and thanked her for her years of service and presented her with a plaque.

Councilmember Shah said Robin always demonstrated professionalism and admired her patience and wonderful skin.

Councilmember Gomez thanked Robin she had been more than just a Deputy Clerk, she was a helping hand and made him very comfortable in his 5 years on Council. He has the upmost respect for her as a person.

Councilmember Karabinchak thanked Robin not just for all of her work but for support and always giving the right knowledge. She is a great friend and will be missed.

Councilmember Diehl, how important she has been to all of us, he cannot believe she is not going to be here. We can always count on here integrity. She is the Best Deputy Clerk this town has ever had.

Councilmember Sendelsky although he hasn't been on council just a few months, she has done a wonderful job and admires her calm Demeter.

Council President Lombardi asked Councilmember Diehl to give a report on Environmental Commission Meeting and Councilmember Sendelsky to report on Planning Board Meeting.

Councilmember Diehl reported the Environmental Commission had a meeting on March 17, 2016 regarding watershed.

Councilmember Sendelsky's report is as follows:

Report on Planning Board Meeting of Tuesday March 22, 2016

Two cases were on the agenda for the meeting. The first case #P5166 Scion Realty LLC located at 2 Preston Street Block #161.T/ Lot#17H. It was a proposal for a two lot minor subdivision which required the removal of an existing structure and the new construction of two single family dwellings. A variance was required for lot width which is 60.18 feet versus the allowable of 75 feet in the RB zone. The two new lots would have a square footage of 11, 155.04 and 11,153.94 respectively which exceeds the 7500 square feet required.

The applicant also agreed to accommodate the neighbor across the street the increasing the setback to 40 feet from the original proposed 35 feet and also to move the footprint of the house away from the two neighbors on either side. Applicant also agreed to a condition of making the houses look significantly different from each other. The application was approved with the conditions noted above.

The second case #P1-2016 Peter Chang Architect - Lincoln Highway & Plainfield Avenue Block 160C Lot 18-27. The applicant proposed to construct a restaurant in an existing furniture building with the parking to be on an adjacent vacant gas station lot. Variances requested for minimum parking space, maximum lot coverage by building and by pavement, minimum parking spaces minimum aisle width, minimum horizontal illuminance and minimum sign setback. This project was an adaptive re-use of an existing building , cleaned up an abandoned gas station site that was contaminated and an eyesore. The application was approved with the following conditions: that they adhere to the reports of our engineer (Charles Carley) and Planner (Hank Bignell) , the hours of operation will be 12 noon to 10 PM- 7 days a week and the lights will be turned off 1 hour after closing, the circulation inside the parking lot will be be changed to counter clockwise to allow for stacking of cars on site, the applicant will add sidewalk where asphalt driveway is on Rte. 27, they will add more trees in the front of the building and work with our planner to meet the tree ordinance, that they will pay for an additional 11 parking spaces in accordance with our parking ordinance, the basement will be used for storage only, the sign will be at 10 feet therefore no longer requiring a variance, the applicant will shuttle his employees to work therefore not requiring any on site employee parking, and they will also submit to our planner elevation drawings of the new building and get police , fire and health sign offs before before final approval is given. There was one objector from East Brunswick . The board voted unanimously to preliminarily approve the project with the above conditions for final approval.

The Board unanimously gave preliminary and final approval to Application #P2-2016 The Wardlaw Hartridge school (auditorium addition) which was carried over from the last meeting pending our planners and engineer's review of the revised site plan.

The board also voted unanimously to refer the council resolution R.160-032 the property known as 10155 Route 1 Block 198.L Lot 29 AKA Clayton Block to our planner for study and a report.

Respectfully Submitted by Councilmember Sendelsky

Council President Lombardi announced Closed Session for this evening is canceled.

APPROVAL OF VOLUNTEER FIREFIGHTERS:

Application for membership was received by:

Raritan Engine Co. #2
Richard G. Ivory III

A motion was made by Councilmember Karabinchak, seconded by Councilmember Gomez, and duly carried, the above applications were approved.

UNFINISHED BUSINESS

ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on March 9, 2016, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1925-2016 ORDINANCE AMENDS THE EDISON TOWNSHIP CODE TO REVISE AND UPDATE THE PER GALLON WATER RATES THE TOWNSHP CHARGES RESIDENTAL AND NON- RESIDENTIAL USERS FOR THE DISCHARGE OF NORMAL DOMESTIC SEWAGE AND THE RATES CHARGED SIGNIFICANT INDUSTRIAL USERS.

(The above Ordinance O.1925-2016 can be found in its entirety in Ordinance Book # 26 .)

Council President Lombardi declared the Public Hearing opened for O.1925-2016

Irene Wall, 205 Fleet Avenue, how much is the increase in our bill and when will the sewer bills be mailed. Ms. Ruane said the rate increases as per the ordinance and also said senior citizens rates remain the same. She said the bills will be going out in about four weeks.

Hearing no further comments, on a motion made by Councilmember Karabinchak seconded by Councilmember Sendelsky and duly carried, this Public Hearing was closed.

On a motion made by Councilmember Karabinchak, seconded by Councilmember Sendelsky, the Ordinance was adopted.

AYES - Councilmembers Diehl, Gomez, Karabinchak, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Lombardi opened the meeting to the public for comments on Proposed Resolutions R.174-032016 through R.217-032016.

Irene Wall, 205 Fleet Avenue on Resolution R.216-032016, she thought there were cameras in detective rooms already.

Captain Shannon explained we have two interview rooms and they need new updated equipment.

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

The following Resolutions R.174-032016 through R.183-032016 and R.185-2016 through R.217-032016 were adopted under the Consent Agenda on a motion made by Councilmember Gomez and seconded by Councilmember Karabinchak.

RESOLUTION R.174-032016

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING MARCH 18, 2016

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through March 18, 2016.

FUND	AMOUNT
Current	\$16,237,595.53
Affordable Housing	0.00
Capital	11,008,769.76
Cash Performance	0.00
CDBG	0.00
Developers Escrow	42,842.42
Dog (Animal Control)	4,447.31
Federal Forfeited	0.00
Grant Funds	4,171.73
Law Enforcement	0.00
Open Space	0.00
Payroll Deduction	954,213.24
Sanitation Fund	163,983.47
Sewer Utility	3,104,018.50
Tax Sale Redemption	634,321.36
Tree Fund	0.00
Tree Planting	0.00
Trust	142,508.82
TOTAL	\$32,296,872.14

/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.175-032016

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 **\$357,419.90**.

RESOLUTION R.176-032016

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 **\$25,441.35**.

RESOLUTION R.177-032016

Authorizing Overpayment Refund caused by Successful Tax Court Appeal

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

TAXPAYER	DE LUNA,W&GUERRA-DE LUNA,M-TRUSTEES
PROPERTY LOCATION	3 ANTHONY AVE
BLOCK / LOT / QUALIFIER	502/27

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

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
014514-2013	2013	453500	423500	(30,000)
014192-2014	2014	453500	426500	(30,000)

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$2,790.60** for the years as follows:

TAX YEAR	TAX AMOUNT
2013	1,372.80
2014	1,417.80

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$2,790.60**.

RESOLUTION R.178-032016

RESOLUTION AWARDING CONTRACT TO VALUE RESEARCH GROUP FOR APPRAISAL SERVICES FOR TAX COURT APPEALS

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on January 27, 2016, for RFP 16-02-APPRAISAL SERVICES FOR TAX COURT APPEALS for a bid opening date of February 10, 2016 and five (5) proposals were received; and

WHEREAS, after review and evaluation of said proposals, it has been recommended by the Township that the contract be awarded to VALUE RESEARCH GROUP, 301 S. Livingston Avenue, Suite 104, Livingston, NJ 07039; and

WHEREAS, the total amount of this contract, not to exceed \$110,000.00, cannot be encumbered at this time; and

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

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

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

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

1. All proposals have been reviewed, and the proposal as submitted by VALUE RESEARCH GROUP, 301 S. Livingston Avenue, Suite 104, Livingston, NJ 07039 is determined to be in the best interest of the township, price and other factors considered, for Appraisal Services for Tax Court Appeals.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$110,000.00, and any other necessary documents, with VALUE RESEARCH GROUP in accordance with their proposal.

RESOLUTION R.179-032016

RESOLUTION AWARDING CONTRACT TO PROVIDENT BANK FOR BANKING SERVICES

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on November 16, 2015 for RFP 15-10-BANKING SERVICES with a bid opening date of December 11, 2015 and five (5) proposals were received; and

WHEREAS, after review and evaluation of said proposals and based upon the projected economic benefits and online banking capabilities, it has been recommended by the Township that it is in their best interest to award Banking Services to Provident Bank, 2100 Oak Tree Road, Edison, NJ 08820; and

WHEREAS, the contract shall be for a period of two years from date of execution with the option of up to two, one year renewals – such renewals shall be at the Township’s sole discretion; 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 proposal as submitted by Provident Bank, 2100 Oak Tree Road, Edison, NJ 08820 is determined to be in the best interest of the township.
2. The Mayor, or his designee, is hereby authorized to execute a contract and any other necessary documents, with Provident Bank in accordance with their proposal.

RESOLUTION R.180-032016

RESOLUTION CANCELLING UNEXPENDED IMPROVEMENT AUTHORIZATIONS

WHEREAS, the chief Financial Officer has recently performed a review of unexpended balance of improvement authorizations and inactive grants receivable; and

WHEREAS, as a result of his review of the various improvement authorizations, it was determined that various inactive, unexpended and unneeded improvement authorization balances exist that should be considered for cancellation; and

WHEREAS, it is essential to sound financial practices in a municipality to review accounts from time to time for cancellation; and

WHEREAS, the Township Auditor has recommended the cancellation of certain inactive, unneeded and unexpended improvement authorizations; and

WHEREAS, Business Administrator and Chief Financial Officer have also reviewed the accounts and concur the Auditors recommendations.

NOW, THEREFORE, BE IT RESOLVED that the following improvement authorizations are hereby cancelled as follows.

Ordinance Number	Description	Amount	Funded Balance 03/15/16
312	Various Capital Improvements	1,150,000.00	311,178.14
373	Various Capital Improvements	1868,758.00	63,521.13
374	Various Capital Improvement s	8,436,254.00	104,569.61
382	Various Capital Improvement s	6,244,625.00	63637.89
384	Various Capital Improvements	355,950.00	2,224.06
386	Various Capital Improvement s	1,886,184.00	1,000
387	Various Capital Improvement s	5,374,788.00	216,839.05
389	Various park improvements	2,187,900.00	206,615.50
390	Acquisition of Open Space	1,349,640.00	812,800.18
391	Various capital improvements	6,129,799.00	53,276.28
394-403	Various Capital Improvement s	7,009,500.00	964,346.22
405	Various Capital Improvements	1,310,000.00	75,376.71
08-1616	Various Capital Improvements	4,068,000.00	172,794.28
09-1721	Various Capital Improvements	1,590,000.00	114,916.89
10-1754	Various Capital Improvements	1,140,000.00	73,360.13
		Total	Total 3,236,456.07

RESOLUTION R.181-032016**RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO SPELLCASTER PRODUCTIONS FOR THE PURCHASE OF A BROADCAST MIXER FOR THE SOUND SYSTEM IN COUNCIL CHAMBERS**

WHEREAS, quotes were solicited by The Township of Edison for the purchase of a Broadcast Mixer for the sound system in Council Chambers; and

WHEREAS, SPELLCASTER PRODUCTIONS, 629 White Horse Pike, Hammonton, NJ 08037, submitted the sole quote in the amount of \$2,558.34 and

WHEREAS, the maximum amount of the purchase shall not exceed \$2,558.34; and

WHEREAS, funds in the amount of \$2,558.34 have been certified to be available in the Acquisition of Edison TV Equipment Account, Number C-04-14-1872-100-006; 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 quotes have been reviewed, and the sole quote as submitted by SPELLCASTER PRODUCTIONS, 629 White Horse Pike, Hammonton, NJ 08037 for the purchase of a Broadcast Mixer for the sound system in Council Chambers is determined to be the sole quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order and any other necessary documents with SPELLCASTER PRODUCTIONS in the amount of \$2,558.34 for the purchase of a Broadcast Mixer for the sound system in Council Chambers.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$2,558.34** are available for the above in Account No. **C-04-14-1872-100-006**.

/s/Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.182-032016**AUTHORIZING THE TRANSFER OF FUNDS IN THE CALENDAR YEAR 2015 CURRENT FUND BUDGET APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-59**

WHEREAS, N.J.S.A. 40A:4-59 authorizes the transfer of funds during the last two months of a fiscal year and during the first three months of the subsequent fiscal year; and

WHEREAS, certain calendar year 2015 appropriations as budget are insufficient to meet the needs for which those appropriations were originally established while certain other appropriations appear to have surplus balances not currently needed to pay claims for which they were budgeted; and

WHEREAS, the following details explain the accounts to which funds need to be transferred and the accounts from which funds will be transferred from to insure that adequate appropriation balances exist where needed to pay approved claims against the Township;

FROM:

Communications/Edison TV O/E	5-01-20-0100-006-020	\$ 11,000.00
Mayor O/E	5-01-20-0110-001-020	\$ 3,000.00
Council O/E	5-01-20-0110-002-020	\$ 15,000.00
Municipal Clerk O/E	5-01-20-0120-001-020	\$ 35,000.00
Finance S&W	5-01-20-0130-001-010	\$100,000.00
Finance O/E	5-01-20-0130-001-020	\$100,000.00
Engineering S&W	5-01-20-0165-000-010	\$ 40,000.00
Engineering O/E	5-01-20-0165-000-020	\$ 30,000.00
Construction S&W	5-01-22-0195-000-010	\$100,000.00
Construction O/E	5-01-22-0195-000-020	\$ 50,000.00
Employee S&W (Health Waivers)	5-01-23-0220-002-010	\$468,359.00
Police S&W	5-01-25-0240-000-010	\$567,641.00
Police O/E	5-01-25-0240-000-020	\$ 30,000.00
Dispatch 911 S&W	5-01-25-0250-000-010	\$150,000.00
Dispatch 911 O/E	5-01-25-0250-000-020	\$ 50,000.00
Fire S&W	5-01-25-0265-001-010	\$400,000.00

Street & Roads S&W	5-01-26-0290-000-010	\$ 50,000.00
Solid Waste Recycling S&W	5-01-26-0290-000-010	\$100,000.00
Buildings and Grounds S&W	5-01-26-0310-000-010	\$100,000.00
Municipal Garage S&W	5-01-26-0315-001-010	\$ 50,000.00
Parks S&W	5-01-28-0375-000-010	\$ 50,000.00
TOTAL FROM:		\$2,500,000.00
TO:		
Employee Group Insurance O/E	5-01-23-0220-000-020	\$2,500,000.00

NOW, THEREFORE, IT IS RESOLVED By The Council Of The Township Of Edison In the County Of Middlesex, New Jersey, That the proper Township Officials are hereby authorized to transfer funds as indicated on the annexed spread sheet from those designated appropriations having apparent surplus balances to those designated appropriations having apparent insufficient balances to insure that adequate appropriation balances exist where needed.

RESOLUTION R.183-032016

Explanation: This Resolution authorizes a second, and final, payment of all refunds due to the Estate of Judith Salsburg, in connection with certain overpayments made to the Township of Edison as further described below.

WHEREAS, in the earlier part of the last decade, the Township of Edison initiated certain Code enforcement efforts against Washington Park Apartments, which are owned by the Estate of Judith Salsburg (Judith Salsburg hereinafter referred to as “Ms. Salsburg”, and her Estate the “Estate”); and

WHEREAS, in connection with those enforcement efforts, the Township obtained judgment against Ms. Salsburg in connection with certain Code violations pertaining to Washington Park Apartments; and

WHEREAS, in order to enforce and collect upon that judgment, the Township obtained certain orders of the Superior Court of New Jersey, which directed that certain other Salsburg owned properties direct payments to the Township of Edison for application towards, and amortization of, the referenced judgment; and

WHEREAS, among those Salsburg owned properties directed to make such payments was the Perth Amboy McDonald’s; and

WHEREAS, as a result of the application of such court ordered payments by various Salsburg owned, incoming producing properties, the Township’s judgment against Ms. Salsburg with respect to Washington Park Apartments was satisfied in full in May of 2003; and

WHEREAS, despite the full satisfaction of that judgment, the Perth Amboy McDonald’s, owed by Ms. Salsburg, continued to remit payments to the Township until mid-2015; and

WHEREAS, Ms. Salsburg passed away in early 2015, at which time her Estate began a dialogue with the Township, with respect to the fact that overpayments on the judgment satisfied in May of 2003 were continuing to be made to the Township by the Perth Amboy McDonald’s above referenced; and

WHEREAS, following continued dialogue, the Perth Amboy McDonald’s finally ceased making such payments in June of 2015; and

WHEREAS, following additional dialogue between the Parties, the Township agreed to remit, to the Estate, the sum of \$112,343.57, in partial repayment to the Estate of the said overpayments, which payment was in fact made, and approved by Township Resolution R.161-032016, which is incorporated herein by reference as if set forth at length; and

WHEREAS, following further, additional dialogue between the Parties, the Township has agreed to remit, to the Estate, the additional sum of \$25,657.06, for an aggregate total payment to the Estate of \$138,000.63, which, in consideration of a Mutual Release of claims respecting such overpayment, will fully and finally resolve all issues respecting such overpayment, all as set forth herein, and in the form of Mutual Release appended hereto as Exhibit A.

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 appropriate Township personnel be and are hereby authorized and directed to process an additional repayment of \$25,657.06, for an aggregate total payment to the Estate of \$138,000.63, which, in consideration of a Mutual Release of claims respecting such overpayment, will fully and finally resolve all issues respecting such overpayment, all as set forth herein, and in the form of Mutual Release appended hereto as Exhibit A.
3. The appropriate Township personnel be and are hereby authorized and directed to execute the Mutual Release in substantially the form appended hereto as Exhibit A.
4. A certificate showing the availability of funds from the Chief Financial Officer of the Township for the making of said payment, has been provided in connection herewith.
5. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2016 calendar year, funds in the amount of \$25,657.06 are available in Account No: T-13-00-0000-000-004 with respect to the foregoing payment.

/s/ Nicholas Fargo
Chief Financial Officer

RESOLUTION R.185-032016

Explanation: This Resolution awards a Professional Services Contract to DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. and designates the firm to represent the Township of Edison as Special Tax Appeal 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, DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. (“Counsel”) has an excellent reputation in the area of real estate tax appeals and has sufficient legal staff to handle such matters which may arise from time to time in the Township; and

WHEREAS, Martin Allen, Esq. of the firm has an excellent reputation in the area of real estate 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 Special Tax Appeal Counsel and seek to enter a contract for legal services with Counsel for 2016 (“Services Contract”) to provide for the representation of the Township with respect to challenging the tax exemption of the properties owned by J.F.K. Medical Center in the Township; 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, Martin Allen, Esq. will have completed and submitted a Business Entity Disclosure Certification, which certifies that no individual with a ten percent (10.0%) interest or larger in Counsel has made any reportable contributions to a political or candidate committee of the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10.0%) interest or larger in Counsel from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

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

WHEREAS, the legal services under the Services Contract may include, but are not limited to, the representation of the Township before the Tax Court, County Board of Taxation and appellate courts, as applicable, with respect to the challenge of certain tax exemptions, subject to the discretion and direction of the Township Attorney; and

WHEREAS, compensation for real estate tax appeal law services included under the Services Contract shall be rendered at the hourly rate of \$200.00 per hour for partners and \$180.00 per hour for associates, 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 Counsel for its representation of the Township as Special Tax Appeal 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 2016 calendar year.
5. No payments in excess of the "not-to-exceed" amount of \$15,000.00 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 2016 calendar year, funds in the amount of \$15,000.00 are available in Account No:6-01-0155-001-027.

/s/ Nicholas Fargo
Chief Financial Officer

EXPLANATION: Releasing Cash performance to OTR Associates, 4 Cornwall Drive, Suite222
E. Brunswick, NJ 08816, Account #7763342456

RESOLUTION R.186-032016

WHEREAS, the Township Engineer advises that an inspection was made on the above subject located in Block #643.DD Lot: 36

WHEREAS, the Division of Engineering Services recommends the release of the Cash Performance Bond, in the amount of \$44,832.36, in account 7763342456

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison that the aforementioned improvements are hereby complete and satisfactory and the Chief Financial Officer is hereby authorized to release the aforesaid Cash Performance; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to return the Cash Performance in the amount of \$44,832.36, on deposit in account #7763342456 to the applicant, having an address of 4 Cornwall Drive, Suite 222 E. Brunswick NJ 08816.

RESOLUTION R.187-032016

EXPLANATION: Resolution of Support (Concurrence) for an NJDOT-sponsored project involving traffic signal and ADA compliance upgrades at intersections and driveways along NJSH Route 27 in the Township of Edison and neighboring communities.

WHEREAS, the New Jersey Department of Transportation (NJDOT) has begun the concept phase for improvements to NJ Route 27 for the portion of the highway that runs through Edison Township and neighboring communities up to the City of Elizabeth; and

WHEREAS, the project will consist of roadway improvements, ADA improvements and traffic signal modifications; and

WHEREAS, the portion of the project that falls within the Township of Edison runs from MP 23.80 (580± feet north of Evergreen Street, CR 657) to MP 24.33 (Woodbridge Township border within Wood Avenue); and

WHEREAS, the proposed plan will serve to enhance traffic flow of both vehicular traffic and pedestrian safety along NJ Route 27; and

WHEREAS, the NJDOT has projected a schedule providing for concept design, engineering and bidding from 2015 through 2018, with construction activities beginning in 2018; and

WHEREAS, the NJDOT will conduct a public meeting in the Township of Edison in the coming months of 2016; and

WHEREAS, the proposed Improvements appear to serve the best interests, health, safety, and welfare of the citizens of Edison Township and Middlesex County.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison, in the State of New Jersey, that it supports the proposed improvements to NJ Route 27 as set forth in this Resolution and the Council further urges the NJDOT to commence the project and cause the same to be completed with all due speed.

1. The Mayor or his designee is hereby authorized to take all actions and execute any relevant documents to assist in the construction of the improvements proposed.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to NJDOT as requested, with copies sent to the County of Middlesex, Senator Peter J. Barnes, III, Assemblyman Patrick J. Diegnan, Jr., and Assemblywoman Nancy J. Pinkin.

RESOLUTION R.188-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000057, to the following:

Permit Number:	0040
Opening Location:	14 & 16 Hearthstone Drive
Block/Lot:	1234/15 & 1234/16
Applicant's Name & Address:	Tele-cable, Inc. 1511 New Market Avenue South Plainfield, NJ 07080
Initial Deposit Date:	05/11/12
Deposit Amount:	\$960.00
Paid by & refunded to:	Tele/Cable, Inc. 1511 New Market Avenue South Plainfield, NJ 07080

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.189-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000120, to the following:

Permit Number:	0055
Opening Location:	Gibian Street @ Simon Avenue
Block/Lot:	N/A
Applicant's Name & Address:	Transcontinental Gas Pipeline Company, LLC 2800 Post Oak Boulevard Houston, TX 77251-1396
Initial Deposit Date:	06/03/14
Deposit Amount:	\$35,800.00
Paid by & refunded to:	Williams Transcontinental Gas Pipeline Company, LLC P.O. Box 1396 Houston, TX 77251

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R. 190-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000118, to the following:

Permit Number:	0056
Opening Location:	Simon Avenue @ Gibian Street
Block/Lot:	N/A
Applicant's Name & Address:	Transcontinental Gas Pipeline Company, LLC 2800 Post Oak Boulevard Houston, TX 77251-1396
Initial Deposit Date:	06/03/14
Deposit Amount:	\$6,075.00
Paid by & refunded to:	Williams Transcontinental Gas Pipeline Company, LLC P.O. Box 1396 Houston, TX 77251

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.191-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000119, to the following:

Permit Number:	0057
Opening Location:	Plymouth Place @ Gibian Street
Block/Lot:	N/A
Applicant's Name & Address:	Transcontinental Gas Pipeline Company, LLC 2800 Post Oak Boulevard Houston, TX 77251-1396
Initial Deposit Date:	06/03/14
Deposit Amount:	\$2,000.00
Paid by & refunded to:	Williams Transcontinental Gas Pipeline Company, LLC P.O. Box 1396 Houston, TX 77251

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.192-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000117, to the following:

Permit Number:	0058
Opening Location:	Liddle Avenue @ Plymouth Place
Block/Lot:	N/A
Applicant's Name & Address:	Transcontinental Gas Pipeline Company, LLC 2800 Post Oak Boulevard Houston, TX 77251-1396
Initial Deposit Date:	06/03/14
Deposit Amount:	\$1,000.00
Paid by & refunded to:	Williams Transcontinental Gas Pipeline Company, LLC P.O. Box 1396 Houston, TX 77251

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.193-022016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000121, to the following:

Permit Number:	0059
Opening Location:	King Georges Post Road @ New Street
Block/Lot:	N/A
Applicant's Name & Address:	Transcontinental Gas Pipeline Company, LLC 2800 Post Oak Boulevard Houston, TX 77251-1396
Initial Deposit Date:	06/03/14
Deposit Amount:	\$1,240.00
Paid by & refunded to:	Williams Transcontinental Gas Pipeline Company, LLC P.O. Box 1396 Houston, TX 77251

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.194-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000061, to the following:

Permit Number:	0086
Opening Location:	246 Brotherhood Street
Block/Lot:	20B/2.04
Applicant's Name & Address:	A. Ferraro Construction, LLC 74 King Street Edison, NJ 08820
Initial Deposit Date:	07/27/12
Deposit Amount:	\$416.00
Paid by & refunded to:	A.T. & Ferraro Developers, LLC 2163 Oak Tree Road, Suite 101 Edison, NJ 08820

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.195-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000064, to the following:

Permit Number:	0102
Opening Location:	250 Carter Drive
Block/Lot:	22/15.A
Applicant's Name & Address:	Cable Utilities, Inc. 46 Main Street Sparta, NJ 07871
Initial Deposit Date:	08/23/12
Deposit Amount:	\$2,075.00
Paid by & refunded to:	Cable Utilities, Inc. 46 Main Street Sparta, NJ 07871

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.196-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000134, to the following:

Permit Number:	0106
Opening Location:	Plymouth Place @ Gibian Street
Block/Lot:	N/A
Applicant's Name & Address:	Transcontinental Gas Pipeline Company, LLC 2800 Post Oak Boulevard Houston, TX 77251-1396
Initial Deposit Date:	08/14/14
Deposit Amount:	\$23,960.00
Paid by & refunded to:	Williams Transcontinental Gas Pipeline Company, LLC P.O. Box 1396 Houston, TX 77251

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.197-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000063, to the following:

Permit Number:	0106
Opening Location:	1133 Wood Avenue
Block/Lot:	989/1
Applicant's Name & Address:	Roto-Rooter 80 Veronica Avenue Somerset, NJ 08873
Initial Deposit Date:	09/07/12
Deposit Amount:	\$480.00
Paid by & refunded to:	Roto-Rooter 80 Veronica Avenue Somerset, NJ 08873

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTUION R.198-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000074, to the following:

Permit Number:	0153
Opening Location:	92 Silver Lake Avenue
Block/Lot:	337.F/18.D
Applicant's Name & Address:	Water Mechanix, LLC 14 Nightingale Street Edison, NJ 08820
Initial Deposit Date:	01/02/13
Deposit Amount:	\$100.00
Paid by & refunded to:	Beverly J. Oshman Donald S. Oshman 92 Silver Lake Avenue Edison, NJ 08817

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.199-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000073, to the following:

Permit Number:	0175
Opening Location:	6 Regent Court
Block/Lot:	1134/15
Applicant's Name & Address:	GWS Contractor, Inc. 105 Fresh Ponds Road Jamesburg, NJ 08831
Initial Deposit Date:	1/31/13
Deposit Amount:	\$100.00
Paid by & refunded to:	GWS Contractors, Inc. 105 Fresh Ponds Road Jamesburg, NJ 08831

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.200-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000078, to the following:

Permit Number:	0221
Opening Location:	72 Lafayette Avenue
Block/Lot:	694.H/23
Applicant's Name & Address:	MJS Excavating, Inc. 85 Bridge Street Sewaren, NJ 07077
Initial Deposit Date:	04/11/13
Deposit Amount:	\$192.00
Paid by & refunded to:	MJS Excavating, Inc. 85 Bridge Street Sewaren, NJ 07077

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.201-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000045, to the following:

Permit Number:	10147
Opening Location:	10 Ventnor Drive
Block/Lot:	546.M/1
Applicant's Name & Address:	A & N General Landscaping & Excavation 220 South Avenue East Westfield, NJ 07090
Initial Deposit Date:	3/2/12
Deposit Amount:	\$480.00
Paid by & refunded to:	Mattco Plumbing & Heating, LLC. P.O. Box 12085 Metuchen, NJ 08840

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.202-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000060, to the following:

Permit Number:	10184
Opening Location:	160-180 Raritan Center Parkway
Block/Lot:	390C
Applicant's Name & Address:	Verizon 6000 Hadley Road South Plainfield, NJ 07080
Initial Deposit Date:	03/28/13
Deposit Amount:	\$1,584.00
Paid by & refunded to:	Verizon 6000 Hadley Road South Plainfield, NJ 07080

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.203-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000053, to the following:

Permit Number:	10191
Opening Location:	Talmadge Road @ Carter Drive
Block/Lot:	N/A
Applicant's Name & Address:	J. Fletcher Creamer & Son 1701 E. Linden Avenue Linden, NJ 07036
Initial Deposit Date:	04/10/12
Deposit Amount:	\$2,160.00
Paid by & refunded to:	J. Fletcher Creamer & Son, Inc. 101 E. Broadway Hackensack, NJ 07601

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.204-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000026, to the following:

Permit Number:	10212
Opening Location:	531 Old Post Road
Block/Lot:	N/A
Applicant's Name & Address:	Verizon 600 Hadley Road South Plainfield, NJ 07080
Initial Deposit Date:	07/13/11
Deposit Amount:	\$237.50
Paid by & refunded to:	Verizon 600 Hadley Road South Plainfield, NJ 07080

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.205-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000029, to the following:

Permit Number:	10233
Opening Location:	14 Beech Street
Block/Lot:	277/10
Applicant's Name & Address:	Roto-Rooter 80 Veronica Avenue Somerset, NJ 08873
Initial Deposit Date:	8/10/11
Deposit Amount:	\$200.00
Paid by & refunded to:	Roto-Rooter Services Company 80 Veronica Avenue Somerset, NJ 08873

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.206-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000033, to the following:

Permit Number:	10242
Opening Location:	55-195 Carter Drive
Block/Lot:	N/A
Applicant's Name & Address:	High Point Utilities 18 Northfield Drive Sussex, NJ 07461
Initial Deposit Date:	08/29/11
Deposit Amount:	\$3,051.50
Paid by & refunded to:	High Point Utilities 18 Northfield Dr. Sussex, NJ 07461

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.207-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000037, to the following:

Permit Number:	10271
Opening Location:	7 Brox Road
Block/Lot:	169/35.A
Applicant's Name & Address:	Resolve Rooter 216 West Bristol Road Warminster PA, 18974
Initial Deposit Date:	11/4/11
Deposit Amount:	\$480.00
Paid by & refunded to:	Resolve Rooter, Inc. P.O. Box 2009 Warminster, PA 18974

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.208-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000042, to the following:

Permit Number:	10300
Opening Location:	10 Brox Road

Block/Lot: 169A/4
 Applicant's Name & Address: DCR Landscaping & Construction
 70 Leonard Street
 P.O. Box 4195
 Metuchen, NJ 08840
 Initial Deposit Date: 12/29/11
 Deposit Amount: \$480.00
 Paid by & refunded to: Certified Kitchens, LLC
 160 Raritan Center Parkway, STE 17
 Edison, NJ 08837

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R. 209-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000020, to the following:

Permit Number: N/A
 Opening Location: Kilmer Road North in Easement
 Block/Lot: N/A
 Applicant's Name & Address: High Point Utilities
 18 Northfield Dr
 Sussex, NJ 07461
 Initial Deposit Date: 04/19/11
 Deposit Amount: \$1162.50
 Paid by & refunded to: High Point Utilities
 18 Northfield Dr
 Sussex, NJ 07461

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.210-032016

RESOLUTION TO RELEASE STREET OPENING ESCROW

WHEREAS, the Township Department of Public Works advises the following have deposited Escrow Funds for Street Opening Permits; and

WHEREAS, notification has been received stating that all work has been inspected and restored as per the requirements of the Road Opening Permit; and

NOW THEREFORE, BE IT RESOLVED By The Municipal Council Of The Township Of Edison, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000053, to the following:

Permit Number:	Various
Opening Location:	Amboy Avenue, Starkin Road, Roosevelt Boulevard, Grandview Avenue, Jay Street, Hoover Avenue, Pleasant Avenue, Echo Avenue, Lafayette Avenue, Harman Road, Yuro Drive, Montview Road, First Street, Second Street, Third Street, Fourth Street, Fifth Street, Sixth Street, Seventh Street, Waltuma Avenue, Gross Avenue, Pleasant Avenue, Wagner Street, Jackson Avenue, Gibian Street, Edgar Avenue, Plymouth Place, Pheonix Avenue, Liddle Avenue, Mac Arthur Drive, Victory Place, Middlesex Greenway, Cabot Avenue, Bower Avenue, Coolidge Avenue, Barton Street
Block/Lot:	N/A
Applicant's Name & Address:	J. Fletcher Creamer & Son 1701 E. Linden Avenue Linden, NJ 07036
Initial Deposit Date:	03/15/12
Deposit Amount:	\$960.00
Paid by & refunded to:	J. Fletcher Creamer & Son, Inc. 101 E. Broadway Hackensack, NJ 07601

BE IT FURTHER RESOLVED that the Township Council of the Township of Edison forwards a certified true copy of the resolution to the Director of Finance.

RESOLUTION R.211-032016

RESOLUTION AWARDING STATE CONTRACT/PURCHASE ORDER TO NORCIA CORPORATON FOR THE FURNISHING OF PARTS AND REPAIRS FOR ROAD MAINTENANCE EQUIPMENT FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need to purchase parts and repairs for road maintenance equipment for the Township of Edison; and

WHEREAS, NORCIA CORPORATION, 451 Blackhorse Lane, North Brunswick, NJ 08902, has been awarded State Contract Number 85864 under T-2188/Parts and Repairs for Road Maintenance Equipment; 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 \$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)).

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 \$20,000.00 and any other necessary documents, with NORCIA CORPORATION, 451 Blackhorse Lane, North Brunswick, NJ 08902, as described herein.
2. This contract/purchase order 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. 85864 under T-2188.

RESOLUTION R.212-032016

EXPLANATION: This Resolution sets park and recreation fees as provided for in Township Code Section 24-4.1.

WHEREAS, Township Code Section 24-4.1 provides for the establishment of park and recreation fees for the usage of Township parks, recreations areas and facilities and programs offered therein or by the Township shall be set by Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison, in the County of Middlesex and State of New Jersey that the following park and recreation fees are hereby established and shall remain in force and effect until superseded by a subsequent Resolution:

PROGRAM	FEE	PAYMENT DUE
Pre-School Registration 3 Yr Olds 4 Yr Olds	\$25.00 \$111.00 \$145.00 Fee for additional child(ren) from the same household will be ½ of the customary fee.	With Application Monthly (9) Monthly (9)
After Before School Child Care Programs Registration A.B.C. – Elementary School Morning Session Afternoon Session Both Sessions Registration Y.A.P. – Middle School Afternoon Session Only	\$25.00 – Non Refundable \$110.00 \$170.00 \$280.00 \$25.00 – Non Refundable \$170.00 Fee for additional child(ren) from the same household for both programs will be ½ of the customary fee. \$5.00 – Late Pick-Up Fee for every 5 minutes or part thereof that a parent is late in picking up a child. \$2.50 – Late Pick-Up Fee for every 5 minutes or part thereof that a parent is late in picking up an additional child. \$10.00 – Late Payment Fee for payments made after the fifth of the month that the payment is due. No Refunds except when a duplicate payment has been made.	With Application Monthly (10) Monthly (10) Monthly (10) With Application Monthly (10) Upon Pick-Up of Child Upon Pick-Up of Child With Monthly Payment
ADULT SPORTS Adult Volleyball Adult Basketball Adult Softball Adult Co-Ed Softball Adult Co-Ed Volleyball	\$150.00 Per Team (Includes \$50.00 Refundable Bond) \$300.00 Per Team (Includes \$100.00 Refundable Bond) \$400.00 Per Team (Includes \$150.00 Refundable Bond) \$200.00 Per Team (Includes \$ 75.00 Refundable Bond) \$150.00 Per Team (Includes \$50.00 Refundable Bond)	With Team Application With Team Application With Team Application With Team Application With Team Application

PROGRAM	FEE	PAYMENT DUE
Community Center Use Fees Weekdays/Evenings Weekend/Holiday	\$50.00 Per Hour Per Room – 2 Hour Minimum \$50.00 Per Hour Per Room – 2 Hour Minimum In the event the Township sponsors a class/program offered by an outside professional, the professional will be required to pay to the Township ten (10%) of any and all fees they have collected from running a class/program with a maximum length of 8 weeks per session or \$200.00, whichever is greater. The minimum \$200.00 is due prior to the first class and the balance due, if any, must be paid no later than two (2) weeks from the last class of the session. This fee shall be in lieu of the fees set forth above for non-Township sponsored events. In the event the professional fails to pay to the Township the money owed, the professional will be precluded from performing such services for the Township in the future.	With Application With Application
Picnic/Park Fees Weekdays/Evenings Edison Residents Applicants must show proof of residency. Non-Resident Weekends/Holidays Edison Residents Non-Resident	\$150.00 For the First 2 Hours – 2 Hour Minimum \$25.00 Each Additional Hour *The Edison Police Auxiliary, Edison Police Explorers, Edison Volunteer Fire Companies and the Edison Volunteer EMT Squads shall be exempt from said picnic fees. Any individual applying on behalf of the foregoing entities shall certify in writing that he/she is submitting the application for and on behalf of said entity. Does not apply for personal use. \$150.00 For the First 2 Hours – 2 Hour Minimum \$50.00 Each Additional Hour \$200.00 For the First 2 Hours – 2 Hour Minimum \$50.00 Each Additional Hour \$200.00 For the First 2 Hours – 2 Hour Minimum \$75.00 Each Additional Hour	Payment For All Hours Reserved Is Due One (1) Week Prior To Use. Same As Above Same As Above Same As Above
Weight Exercise Room Both Community Centers Edison Resident Non-Resident	Resident Sr. Citizens, 65 Years of Age or Older – No Charge – Must Show Edison Township Issued Sr. Citizen Card. \$10.00 \$50.00 \$100.00 \$30.00 \$150.00 \$300.00	Monthly Every 6 Months Yearly Monthly Every 6 Months Yearly

PROGRAM	FEE	PAYMENT DUE
PROGRAMS		
Adult Classes		
Edison Residents	\$20.00 Per Class	With Application
Non-Resident	\$30.00 Per Class	With Application
Aerobics		
Edison Residents	\$40.00 Per Person	Quarterly
Non-Resident	\$80.00 Per Person	Quarterly
Community Center Membership		
Adult Edison Residents	\$20.00 Per Person	Yearly – Year Begins 7/01
Adult Non-Residents	\$40.00 Per Person	Yearly – Year Begins 7/01
Teen Residents Only	\$10.00 Per Person	Yearly – Year Begins 7/01
Teen Non-Residents	\$20.00 Per Person	Yearly – Year Begins 7/01
Karate		
Resident	\$30.00 Per Person	Quarterly
Non-Resident	\$40.00 Per Person	Quarterly
Kids' Fun Clubs	\$10.00 Per Class/Per Session	With Application
		With Application
New Developed Programs	\$10.00 Per Person	With Application
Special Population		
Program	\$10.00 Per Person/Per Program	With Application
Dance	\$5.00 Per Person/Per Dance	With Application
Summer Playground Program	\$30.00 Per Person	Yearly
Twirling/Cheerleading	\$25.00 Per Person	Yearly
Various Trips	Established by Trip Location + Transportation Fee	With Application
Yoga		
Edison Residents	\$40.00 Per Person	Quarterly
Non-Residents	\$80.00 Per Person	Quarterly
SPECIAL EVENTS		
Easter Fun Day	\$ 5.00 Per Person	With Application
Edison/Metuchen Bike Tour	\$10.00 Per Person	With Application
Festivals		
Craft Vendors	\$75.00 Per Space	With Application
Food Vendors	\$75.00 Per Space	With Application
Fishing Derby	\$10.00 Per Person	With Application
Lil Darlins' Dance	\$30.00 Per Couple	With Application

RESOLUTION R.213-032016

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
YAN CHEN FOR TEEN CENTER MEMBERSHIP**

WHEREAS Yan Chen made a duplicate payment for his child Darren Jiang's teen center membership.

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 \$10.00 to Yan Chen, 16 Sherman Blvd., Edison, NJ 08820, which amount represents the cost of membership.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$10.00 are available in Account #6-01-55-0291-000-000.

RESOLUTION R.214-032016

**Federal Highway Safety Fund 2017
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, 2016 through September 30, 2017; and

WHEREAS; an increase in enforcement will reduces accidents and save 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 Federal Highway Safety Fund Grant Program 2017.

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.215-032016

2017 Pedestrian Safety Enforcement and Education Grant Application and Initiative

WHEREAS, the Division of Police wishes to apply for grant funding in 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 – 2014, 16 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, 2016 through June 30, 2017; 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 2017* from July 1, 2016 through June 30, 2017 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.

RESOLUTION R.216-032016

RESOLUTION ACCEPTING QUOTE AND AWARDING CONTRACT/PURCHASE ORDER TO MILLBURN PHOTO FOR AUDIO /VIDEO EQUIPMENT FOR THE DETECTIVE INTERVIEW ROOMS IN THE POLICE DEPARTMENT

WHEREAS, quotes were solicited by the Division of Police for audio/video equipment for the Detective interview rooms in the Police Department; and

WHEREAS, MILLBURN PHOTO, 41 Main Street, Millburn, NJ 07041 submitted the lowest quote in the amount of \$15,735.00; and

WHEREAS, the maximum amount of the purchase shall not exceed \$15,735.00; and

WHEREAS, funds in the amount of \$15,735.00 have been certified to be available in the Various Equipment for Police Department, Account Number C-04-15-1914-240-000; 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 quotes have been reviewed, and the quote submitted by MILLBURN PHOTO, 41 Main Street, Millburn, NJ 07041 for audio/video equipment for the Detective interview rooms in the Police Department, is determined to be the lowest quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$15,735.00, and any other necessary documents, with MILLBURN PHOTO as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$15,735.00** are available for the above in Account No. **C-04-15-1914-240-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.217-032016

**RESOLUTION TO APPLY FOR THE *CLICK IT OR TICKET* MOBILIZATION GRANT FROM
MAY 23rd –June 5, 2016.**

WHEREAS, there are approximately 150 vehicle fatalities in New Jersey each and every year in which the victim was not wearing a seatbelt; and

WHEREAS, a large percentage of the motor vehicle fatalities could have been avoided by wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975 – 2000; and

WHEREAS, Edison Township would participate in the nationwide Click It or Ticket seat belt mobilization from May 23rd – June 5, 2016 in an effort to raise awareness and increase seat belt usage from 87.59% to 90% through a combination of enforcement and education; and

WHEREAS, a further increase in seat belt usage in Edison and the State of New Jersey will save lives on our roadways;

THEREFORE, BE IT RESOLVED that the Township of Edison declares it’s request to apply for the available grant funding of \$5,000 to support the *Click It or Ticket* safety belt mobilization program from May 23rd – June 5, 2016.

AYES - Councilmembers Diehl, Gomez, Karabinchak Lankey, Patil, Sendelsky, Shah, and Council President Lombardi

NAYS - None

The following Resolutions will be voted upon separately:

RESOLUTION R.184-032016

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

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

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

WHEREAS, Matthew J. Giacobbe, Esq., of the firm has an excellent reputation in the area of labor law, has practiced law for many years, has knowledge of the Township and has available supporting attorney staff at and through Counsel; and

WHEREAS, for these reasons the Mayor and the Municipal Council recommend Counsel for the position of Special Labor Counsel and seek to enter a contract for legal services with Counsel for 2016 (“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, Matthew J. Giacobbe, Esq. will have completed and submitted a Business Entity Disclosure Certification, which certifies that no individual with a ten percent (10.0%) interest or larger in Counsel has made any reportable contributions to a political or candidate committee of the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10.0%) interest or larger in Counsel from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

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

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

WHEREAS, compensation for special labor counsel services included under the Services Contract shall be rendered at the hourly rate of \$165.00 per hour for partners and counsel and \$150.00 per hour for associates, payable monthly, and as further set forth in the Services Contract; and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Mayor and Township Clerk are hereby authorized and directed to execute the Services Contract with Counsel for its representation of the Township as Special Labor Counsel.
3. The Services Contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.
4. A certificate showing the availability of funds for the Services Contract authorized hereby has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2016 calendar 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. The “not-to-exceed” amount in Resolution #110-022016 is hereby accordingly reduced by the commensurate “not-to-exceed” amount stated in this Resolution.
7. 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.
8. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.
9. 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.

10. 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.
11. Counsel shall report directly to the Township Attorney, who will be the chief contact at the Township.
12. Counsel shall notify the Township Attorney when eighty percent (80%) of the “not-to-exceed” amount is attained.
13. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2016 calendar year, funds in the amount of \$100,000.00 are available in Account No:6-01-20-0155-001-027.

/s/Nicholas C. Fargo
Chief Financial Officer

A motion was made by Councilmember Gomez seconded by Councilmember Sendelsky to adopt this Resolution.

AYES - Councilmembers, Gomez, Karabinchak, Patil, Sendelsky, Shah and Council President Lombardi

NAYS - Councilmember Diehl

ORAL PETITIONS AND REMARKS

Council President Lombardi opened the meeting for public comment.

Marlena McCray, Hana Road, this is not good by it see you later to one of the Best Co-Workers. I have been with the township since 2001 and I have seen different administrations and now a new clerk, things sometimes get hectic and Robin has always stayed calm, cool and collective. Thank you for making me a better person, I will miss you and you will always be part of our family.

Walt Shneer, Park Way, Sorry to see you go, you have always helped me a whole lot. He keeps bringing up the tractors on street where they shouldn't be.

Captain Shannon said Woodbridge Avenue Tractor Trailers are allowed to be on and use the proper u turns.

Ms. Wall, Robin was always professional and always had the correct answers. She will miss her. How much money is in the Open Space Fund? In reference to the latest lingerie cop 45 day window in which something has to happen.

Captain Shannon replied it is pending litigation we cannot discuss.

Ms. Wall, asked Councilmember Karabinchak why don't we sue the newspapers if there reporting is in correct.

Councilmember Karabinchak replied, I don't think we can sue media.

Mr. Shneer asked if the area at the water front that is being cleaned up is it up for sale.

Council President Lombardi, not that we are aware of.

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

Having no further business to discuss, on a motion made by Councilmember Diehl seconded by Councilmember Sendelsky, the meeting was adjourned at 7:40 p.m.

Michael R. Lombardi
Council President

Cheryl Russomanno, RMC
Municipal Clerk