

**AGENDA
MUNICIPAL COUNCIL
COMBINED MEETING
Wednesday, April 24, 2019
6:00 p.m.**

1. Call to Order and Pledge of Allegiance.
2. Roll Call.
3. Adequate Notice of this meeting as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger and the Sentinel on December 1, 2018 and posted in the Main Lobby of the Municipal Complex on the same date.
4. **REVIEW OF MINUTES:**
 - a. Combined Meeting of March 27, 2019
5. **REPORTS FROM ALL COUNCIL COMMITTEES:**
6. **POINTS OF LIGHT**
7. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution supporting the Official Continuation of the Township of Edison Sustainable Jersey Green Team rescinding Resolution R.183-042019 due to term date incorrect. (Resolution R.199-042019)
 - b. Resolution Awarding Contract for RFP 19-01- Insurance Broker (not to exceed \$100,000.00 for two years.) (Resolution R.210-042019)
 - c. Awarding of Contract for Public bid #19-12-04 – Office Supplies (not to exceed \$80,000.00) (R.211-042019)
 - d. Resolution Awarding Non Fair and Open Contract to V-Comm, LLC for Radio Communication System Consultant (\$115,900.00) (Resolution R.218-042019)
8. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through April 18, 2019 (Resolution R.196-042019)
 - b. Resolution authorizing refund in the amount of \$121,557.95 for redemption of tax sale certificates (Resolution R.197-042019)
 - c. Resolution authorizing refund of tax overpayments, totaling \$1,434.05(Resolution R.198-042019)
 - d. Resolution authorizing a Professional Services Contract to Government Strategy Group for Financial Management Services.(not to exceed \$191,400.00) (Resolution R.212-042019)
9. **FROM THE DEPARTMENT OF LAW:**
 - a. Resolution authorizing the execution of a Shared Services Agreement with the

Edison Township Board of Education, for the provision of security services through the Special Law Enforcement Officer III program, effective immediately. (Resolution R.205-042019)

- b. Resolution authorizes the Township to retain Dressel/Malikschnitt LLP to provide professional legal services to the Municipal Council in connection with the committee of the whole created pursuant to R.111-022019. (Resolution R.219-042019)(added to agenda at meeting).
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10. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
 - a. Resolution provides for a Refund for Senior Resident (Resolution R.200-042019)
 - b. Resolution provides for refund of Construction Permit (Resolution R.201-042019)

 11. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
 - a. Resolution authorizing payment of Outstanding Invoices for C-3 Technologies, LLC for the year 2018. (\$10,742.52) (Resolution R.213-042019)

 12. **FROM THE DEPARTMENT OF RECREATION:**
 - a. Resolution authorizing a reimbursement for Pre School Program (Resolution R.202-042019).
 - c. Resolution awarding reimbursement to various Adult Volleyball Teams for ending the Season in Good Standing (Resolution R.203-042019)
 - d. Resolution authorizing a reimbursement for ABC & YAP Program (Resolution R.204-042019)

 13. **FROM THE CHIEF OF POLICE:**
 - a. Resolution to apply for the Click it or ticket Mobilization Grant from May 20th – June 2, 2019 (Resolution R.206-042019)
 - b. Resolution 2020 Pedestrian Safety Enforcement and Education Grant Application and Initiative (Resolution R.207-042019)
 - c. Resolution Federal Highway Safety Fund 2020 Grant Application and Initiative (Resolution R.208-042019)
 - d. Awarding contract for Public Bid No.19-03-12-FN Firearms and Accessories (not to exceed \$150,000.00) (Resolution R.214-042019)

 14. **FROM THE CHIEF OF FIRE:**
 - a. Awarding of Contracts for Public Bid No. 19-01-29 Uniforms and Equipment-Division of Fire/Fire Prevention. (3 Vendors – not to exceed \$306,400.00) (Resolution R.215-042019 – R.217-042019)

 15. **FROM THE TOWNSHIP CLERK:**
 - a. Resolution re-appointing Marlena McCray as Deputy Clerk.

 16. **FROM THE COUNCIL MEMBER TO THE PLANNING BOARD:**

17. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**

**O.2043-2019 ORDINANCE AUTHORIZING THE MAYOR, OR HIS
AUTHORIZED DESIGNEE, TO EXECUTE THE LEASE
AGREEMENT BETWEEN THE TOWNSHP AND EDISON
WETLANDS ASSOCIATION, INC. ALLOWING FOR THE
ORGANIZATION’S USE OF THE LEASED PROPERTY.**

18. **DISCUSSION ITEMS:**

Council President Gomez

a. None

Councilmember Coyle

a. None

Councilmember Diehl

a. None

Councilmember Joshi

a. None

Councilmember Lombardi

a. None

Councilmember Patil

a. None

Councilmember Sendelsky

a. None

19. **APPROVAL OF MINUTES:**

a. Combined Meeting of March 27, 2019

20. **COUNCIL PRESIDENT'S REMARKS**

21. **UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION, PUBLIC HEARING, AND
FINAL ADOPTION:**

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AUTHORIZED DESIGNEE, TO EXECUTE THE LEASE
AGREEMENT BETWEEN THE TOWNSHIP AND EDISON
WETLANDS ASSOCIATION, INC. ALLOWING FOR THE
ORGANIZATION'S USE OF THE LEASED PROPERTY.**

22. **PUBLIC COMMENT ON THE RESOLUTIONS**

23. **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.196-042019 Resolution approving disbursements for the period ending April 18, 2019.
- R.197-042019 Resolution authorizing refund in the amount of \$121,557.95 for redemption of tax sale certificates.
- R.198-042019 Resolution authorizing refund of tax overpayments, totaling \$1,434.05.
- R.199-042019 Resolution supporting the Official Continuation of the Township of Edison Sustainable Jersey Green Team rescinding Resolution R.183-042019 due to term date incorrect.
- R.200-042019 Resolution provides for a Refund for Senior Resident for Permit #2018-3415 for 265W Shirley in the amount of \$650.00.
- R.201-042019 Resolution provides for refund of Construction Permit #140800, work never was performed for 36 Meridian Road, in the amount of \$9,230.82.
- R.202-042019 Resolution authorizing a reimbursement for Pre School Program TO Madhuri Sameer in the amount of \$121.00.
- R.203-042019 Resolution awarding reimbursement to various Adult Volleyball Teams for ending the Season in Good Standing in the amount totaling \$450.00.
- R.204-042019 Resolution authorizing a reimbursement for ABC & YAP Program to Gregoria Rosario in the amount of \$284.32.
- R.205-042019 Resolution authorizing the execution of a Shared Services Agreement with the Edison Township Board of Education, for the provision of security services through the Special Law Enforcement Officer III program, effective immediately.
- R.206-042019 Resolution to apply for the Click it or Ticket Mobilization Grant from May 20th – June 2, 2019.
- R.207-042019 Resolution 2020 Pedestrian Safety Enforcement and Education Grant Application and Initiative.

- R.208-042019 Resolution Federal Highway Safety Fund 2020 Grant Application and Initiative.
- R.209-042019 Resolution re-appointing Marlena McCray as Deputy Clerk.
- R.210-042019 Resolution Awarding Contract to CBIZ, Inc., for Insurance Broker, two year Contract in the amount not to exceed \$100,000.00.
- R.211-042019 Awarding of Contract for Public bid #19-12-04 – Office Supplies to W.B. Mason Company, Inc. in an amount not to exceed \$80,000.00.
- R.212-042019 Resolution authorizing a Professional Services Contract to Government Strategy Group for Financial Management Services in an amount not to exceed \$191,400.00.
- R.213-042019 Resolution authorizing payment of Outstanding Invoices for C-3 Technologies, LLC for the year 2018.
- R.214-042019 Awarding contract for Public Bid No.19-03-12-FN Firearms and Accessories to Witmer Public Safety Group, Inc. in an amount not to exceed \$150,000.00.
- R.215-042019 Awarding of Contracts for Public Bid No. 19-01-29 Uniforms and Equipment-Division of Fire/Fire Prevention to Continental, Fire & Safety Inc.in an amount not to exceed \$6,400.00.
- R.216-042019 Awarding of Contracts for Public Bid No. 19-01-29 Uniforms and Equipment-Division of Fire/Fire Prevention to Fit-Rite Uniform Co.,Inc. in an amount not to exceed \$100,000.00.
- R.217-042019 Awarding of Contracts for Public Bid No. 19-01-29 Uniforms and Equipment-Division of Fire/Fire Prevention to Witmer Public Safety Group, Inc. in an amount not to exceed \$200,000.00.
- R.218-042019 Resolution Awarding Non Fair and Open Contract to V-Comm, LLC for Radio Communication System Consultant in the amount of \$115,900.00.
- R.219-042019 Resolution authorizes the Township to retain Dressel/Malikschnitt LLP to provide professional legal services to the Municipal Council in connection with the committee of the whole created pursuant to R.111-022019. (added to agenda at worksession)

24. **ORAL PETITIONS AND REMARKS**

25. **ADJOURNMENT**

ORDINANCE O.2043-2019

EXPLANATION: This Ordinance authorizes the Mayor, or his authorized designee, to execute the Lease Agreement between the Township and Edison Wetlands Association, Inc., allowing for the organization's use of the leased property.

WHEREAS, the Township of Edison, whose address is 100 Municipal Boulevard, Edison, NJ 08817 (“**Township**” or “**Landlord**”), and Edison Wetlands Association, Inc., an I.R.C. 501(c)(3) non-profit organization, whose present address is 206 Tyler Road, Edison, New Jersey 08820 (“**EWA**” or “**Tenant**”), desire to enter into a Lease Agreement (the “**Lease**”), pursuant to the terms of which EWA will lease from the Township a portion of the property located at 471 Meadow Road (the “**Property**”) in the Township; and

WHEREAS, pursuant to *N.J.S.A.* 40A:12-14 (c), the Township is authorized to lease the Property to EWA upon adoption of an ordinance by Municipal Council of the Township (the “**Municipal Council**”); and

WHEREAS, the Lease provides that EWA will be permitted to use the Property to house two (2) trailers that will contain recyclable textiles collected from recycling bins presently located on Township-owned sites, as part of the Township's efforts to recycle and re-purpose textiles and remove such materials from the solid waste stream; and

WHEREAS, EWA will be required by the terms of the Lease to submit a report to the Township regarding the tonnage of materials collected at the Property; and

WHEREAS, EWA will pay to the Township basic rent in consideration for the use of the Property; and

WHEREAS, the Municipal Council hereby authorizes and approves the Mayor, or his authorized designee, to execute the Lease, as more fully described and attached hereto, and made a part of this Ordinance by reference as Exhibit A.

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

1. The recitals are hereby incorporated as if restated herein in full.
2. The Lease, attached hereto as Exhibit A, is hereby approved and accepted. The Mayor, or his authorized designee, is authorized to execute the Lease on behalf of the Township in substantially the same form as the Lease attached hereto, with such additions, deletions and modifications as the Mayor, or his authorized designee, may determine necessary upon consultation with EWA.
3. A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.
4. This Ordinance shall take effect after twenty (20) days of its final passage by the Municipal Council, upon approval by the Mayor and publication as required by law.

RESOLUTION R.196-042019

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING April 18, 2019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through April 18, 2019..

FUND	AMOUNT
Current	\$15,785,963.04
Affordable Housing	39,688.82
Capital	8,160.72
Cash Performance	3,760.80
CDBG	38,202.37
Developers Escrow	35,683.62
Dog (Animal Control)	11,350.32
Federal Forfeited	0.00
Grant Funds	15,974.65
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	557,646.13
Sanitation Fund	302,483.14
Self Insurance	0.00
Sewer Utility	155,700.93
Tax Sale Redemption	195,205.27
Tree Fund	0.00
Tree Planting	0.00
Trust	162,089.95
Edison Landfill Closure Trust	0.00
TOTAL	\$17,311,909.76

/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.197-042019

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 **\$121,557.95**.

RESOLUTION R.198-042019

Authorizing refund for tax overpayments

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

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

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

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing totaling **\$1,434.05**.

RESOLUTION R.199-042019

**Explanation: A Municipal Resolution Supporting the Official
Continuation of the Township of Edison Sustainable Jersey Green Team**

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 as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the Township hereby acknowledges that the residents of Edison desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the Township wished to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path the Township is pledged to educate itself and community members as to green/sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, to focus attention and effort within Edison on matters of sustainability, the Township wished to pursue local initiatives and actions that will led to Sustainable Jersey Municipal Certification, as well as to the subsequent and continuing investigation, development and implementation of green and sustainable initiatives, activities, projects and achievements, for the environmental and economic benefit of the community; and

WHEREAS, the Edison Sustainable Jersey Green Team has played a dynamic role in such green/sustainable activities as the continuing development, marketing and presentation of the Annual ESJGT/ECC/ETEC Edison Earth Day Celebration, as well as many other green/sustainable efforts, initiatives and partnerships (e.g.: ESJGT PSET JPSHS SJSJP Life Learning Greenhouse); and

WHEREAS, in an attempt to develop and maintain a dynamic focus upon local Green and Sustainable issues, the Township of Edison established a Sustainable Jersey Green Team Advisory Committee, as required for by Sustainable Jersey regulations for the Township of Edison to apply for and achieve Sustainable Jersey Certification; and

NOW, THEREFORE, BE IT RESOLVED, having previously established the Township of Edison Sustainable Jersey Green Team Advisory Committee of twelve (12) members, consisting of residents and employees of the Township of Edison, the Municipal

Council of the Township of Edison had previously re-appointed them, with a term that ended December 31, 2018.

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison, per established practice, that we do hereby authorize the official continuation of the Township of Edison Sustainable Jersey Green Team, at a regularly-scheduled Public Meeting, composed of the thirteen (13) below-cited members, whose appointed terms will end December 31, 2020, subject to re-appointment:

Chris Mazauskas ESJGT Co-Founder/Coordinator, Original ESJGT Member, ESJGT/SENSE Member, ETEC Technical Support, **Jay Elliot** ESJGT Co-Founder, Original ESJGT Member, Edison Clean Communities Coordinator
Walter Stochel Original ESJGT Member, Edison Open Space Advisory Committee Chairperson, NJ Jefferson Awardee (Environment), Edison Greenways Group, Edison Community Volunteer/Advocate
Robert Takash Original ESJGT Member, Edison Greenways Group, Edison Open Space Advisory Committee Member
Inder Soni Original ESJGT Member, Edison Community Volunteer
Cathy Biondi REHS EDHHS, Annual Edison Earth Day Volunteer Coordinator, MC Health and Wellness Council Member
Esther Barcun Founder/Coordinator ESJGT SENSE, Retired Social Worker/LCSW
Abha Devarajan, Edison Community Volunteer, Professional Bio-Chemist
Esther Nemitz Clara Barton NPP Chairperson , Edison Open Space Advisory Committee Member, Edison Fair Housing Board
Maria Orchid Clara Barton NPP Committee Member, James Monroe MS Special Education Parent Advisory Committee Member, Edison Community Volunteer
Anthony Russomanno Director, Department of Public Works
Brian Piccirillo Design Engineer, Department of Planning and Engineering
Lester Jones Township of Edison Health Official

RESOLUTION R.200-042019

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

WHEREAS, on August 29,2018 a Construction Permit fee, check #7079, permit #2018-3415, was posted in the total amount of \$662.00 by the contractor, Four Star Electric located at 681 Grove Street, Rahway, NJ 07065; and

WHEREAS, the application was submitted for a Generator Installation at 265 W. Shirley Ave. by the hired contractor; Four Star Electric, who did not make known to the Construction Code Enforcement Division that the homeowner, Joseph Contrino, is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$650.00, derived from the \$662.00 total construction permit fee less the \$12.00 DCA fee, be refunded to the contractor Four Star Electric; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2018-3415, in the amount of \$650.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$650.00 on construction permit fees posted by Four Star Electric for 265 W. Shirley Ave. be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$650.00 from the Refund of Revenue Fund to the Contractor, Four Star Electric having offices at 681 Grove Street, Rahway, NJ 07065.

RESOLUTION R.201-042019

EXPLANATION: This resolution provides refund of the construction permit fee posted for a commercial construction permit. The work was never performed at 36 Meridian Rd.

WHEREAS, on October 24, 2018, a Construction plan review fee, Control # 140800, was posted in the total amount of \$9230.82.00 by the contractor, HBNI Development LLC having offices at 22 Parker Rd. Edison, NJ 08820; and

WHEREAS, the application was submitted for a 1st and 2nd floor addition, at 36 Meridian Rd by the hired contractor;

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled and no work is being performed, therefore appropriate that the municipal permit fee in the amount of \$9230.82, be refunded to the contractor HBNI Development LLC.; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Control #140800, in the amount of \$9230.82 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$9230.82 on construction permit fees posted by HBNI Development LLC. for 36 Meridian Rd. be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$9230.82 from the Refund of Revenue Fund to the Contractor, HBNI Development offices at 22 Parker Rd. Edison, NJ 08820.

RESOLUTION R.202-042019

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
MADHURI SAMEERA FOR THE 3 YEAR OLD PRE-SCHOOL PROGRAM**

WHEREAS Madhuri Sameera made a payment for her child Akshara Chavva to attend the 3 year old Pre-school Program;

WHEREAS Akshara Chavva is not ready for Pre-school.

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 \$121.00 to Madhuri Sameera, 2333 Strawberry Ct., Edison, NJ 08817, which amount represents the cost of the 3 year old Pre-school Program per month.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$121.00 are available in Account #9-01-55-0291-000-000.

RESOLUTION R.203-042019

**RESOLUTION AWARDING REIMBURSEMENT TO VARIOUS ADULT VOLLEYBALL TEAMS
FOR ENDING THE SEASON IN GOOD STANDING**

WHEREAS, there exists an ordinance for sports teams to pay entrance fees prior to playing in Edison Township's Recreation leagues.

WHEREAS, the ordinance further states that a "Good Standing Refund" in the amount of \$75.00 shall be made payable to each volleyball team finishing the season in good standing with the league, and

WHEREAS, fees in the amount of \$450.00 have been certified to be available in the Township Trust Account, Number T-13-00-0000-000-014.

WHEREAS, the below listed adult volleyball teams eligible for a good standing refund are as follows:

<u>REFUND NAME</u>	<u>TEAM</u>
Justin Jeganathan	Fusion
Jignesh Panariya	Maples Sports Club (MSC)
Kumar Srinivasan	Falcons
Snehal Pandya	EM Spikers
Jignesh Panariya	MSCII
Srinivasan Bhaktavachalam	Edison Bulls

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison that authorization be given to release said funds to these teams.

CERTIFICATION

I hereby certify that funds in the amount of \$450.00 are available for the above teams in Account No.T-13-00-1000-000-048.

Q: VB RESOLUTION
3/22/19 DWT

RESOLUTION R.204-042019

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
GREGORIA ROSARIO FOR THE ABC & YAP PROGRAMS**

WHEREAS Gregoria Rosario, in partnership with Community Child Care Solutions, made payment in the amount of \$284.32 for her children Jenely Ciprian and Hilandy Ciprian's participation in the ABC and Yap Programs at Benjamin Franklin Elementary School and Herbert Hoover Middle School; and

WHEREAS Community Child Care Solutions submitted a monthly payment for the full amount due for Jenely Ciprian and Hilandy Ciprian's participation in the ABC and YAP Programs; thereby causing an overpayment by Gregoria Rosario.

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 \$284.32 to Gregoria Rosario, 34 Vista Dr., Edison, NJ 08817, which amount represents the overpayment for the ABC and YAP programs.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$284.32 are available in Account #9-01-55-0291-000-000.

RESOLUTION R.205-042019

EXPLANATION: A Resolution authorizing the execution of a Shared Services Agreement with the Edison Township Board of Education, for the provision of security services through the Special Law Enforcement Officer III program, effective immediately.

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

WHEREAS, in the spirit of mutual cooperation, the Township has the capacity to and seeks to provide security services through the Special Law Enforcement Officer III (“**SLEO III**”) program, to the Edison Township Board of Education, (the “**Board**” and collectively, with the Township, the “**Parties**”) for the purposes of employing certain officers specifically to provide security in schools and promoting efficiency in government; and

WHEREAS, in furtherance, the Parties desire to enter a Shared Services Agreement (“**Agreement**,” in the form substantially similar to that attached hereto as Exhibit A) pursuant to the Shared Services Act to establish the terms of the Township’s provision of security services through the SLEO III program; and

WHEREAS, the Board adopted a resolution approving the Agreement at its public meeting on April 15, 2019; and

WHEREAS, the Agreement provides for and shall be subject to cancellation by either Party upon thirty (30) days’ written notice; and

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

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

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

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

Section 3. The Township Clerk is hereby instructed to forward a copy of the signed Agreement to the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, for informational purposes, in accordance with the Shared Services Act, as well as the Business Administrator for the Board.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.206-042019

RESOLUTION TO APPLY FOR THE *CLICK IT OR TICKET* MOBILIZATION GRANT FROM MAY 20th – June 2, 2019.

WHEREAS, there were 148 vehicle fatalities in New Jersey in 2016 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 14,500 lives were saved by safety belt usage nationally in 2016; and

WHEREAS, Edison Township would participate in the nationwide Click It or Ticket seat belt mobilization from May 20th – June 2, 2019 in an effort to raise awareness and increase seat belt usage from 94.47% to 95.5% 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 \$5,500 to support the *Click It or Ticket* safety belt mobilization program from May 20th – June 2, 2019.

RESOLUTION R.207-042019

**2020 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 \$16,500.00 to provide additional manpower hours to educate the public in pedestrian laws and increased enforcement of traffic laws; and

WHEREAS, in 2016, almost 6,000 pedestrians were killed in traffic accidents in the United States and more than 66,000 pedestrians were injured; and

WHEREAS, between 2009 – 2016, over 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, 2019 through May 31, 2020; 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 its support for the grant application and participation in *The Pedestrian Safety Grant Program FY 2020* from July 1, 2019 through May 31, 2020 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.208-042019

**Federal Highway Safety Fund 2020
Grant Application and Initiative**

WHEREAS, the Division of Police wishes to apply for grant funding not to exceed \$16,500.00 to provide additional manpower hours for speed enforcement as well as to combat distracted driving; 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, 2019 through September 30, 2020; 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 2020.

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.209-042019

WHEREAS, it is the duty of the Municipal Council to appoint a Deputy Municipal Clerk for the Township of Edison; and

WHEREAS, Marlena McCray currently is the Deputy Clerk in the Clerk's office and has already completed four of the courses toward her Registered Municipal Clerk's certificate; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Edison that Marlena McCray be re-appointed to the position of Deputy Municipal Clerk of the Township of Edison, term to be effective April 24, 2019 through April 24, 2022.

RESOLUTION R.210-042019

RESOLUTION AWARDING CONTRACT TO CBIZ, INC. FOR INSURANCE BROKER

WHEREAS, the Township of Edison advertised on the Township website for Request for Proposals on February 13, 2019, for RFP 19-01-INSURANCE BROKER with a bid opening date of March 1, 2019 and two (2) 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 (\$50,000.00 per year), and any other necessary documents, with CBIZ, INC. in accordance with their proposal.

RESOLUTION R.211-042019

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO W.B. MASON COMPANY INC.
FOR OFFICE SUPPLIES**

WHEREAS, bids were received by the Township of Edison on February 15, 2019 for Public Bid No. 19-12-04-Office Supplies for the Township of Edison; and

WHEREAS, W.B. MASON COMPANY INC., 21 Commerce Dr., Cranbury, NJ 08512, submitted the sole, legally responsible, responsive bid; and

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

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$80,000.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by W.B. MASON COMPANY INC., 21 Commerce Dr., Cranbury, NJ 08512 for Office Supplies for the Township of Edison, is determined to be the sole legally responsible, responsive bid for various items as listed on the spreadsheet and stated herein.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$80,000.00 for the first year and any succeeding renewal year subject to and contingent upon appropriation of sufficient funds for each renewal year and any other necessary documents, with W.B. MASON COMPANY INC. as described herein.

RESOLUTION R.212-042019

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO GOVERNMENT STRATEGY GROUP FOR FINANCIAL MANAGEMENT SERVICES

WHEREAS, the Township of Edison (the Township) has determined that it is in its best interests and those of the Township residents to engage a financial management services firm to support the Township's Chief Financial Officer (CFO) and to ensure proper financial reporting, and the Township is authorized pursuant by 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, Government Strategy Group, 450 Shrewsbury Plaza, #330, Shrewsbury, NJ 07702 has submitted a proposal to provide such services including, but not limited to, the areas of public finance and municipal accounting, and has extensive staff and resources that may be utilized to support the Township's CFO; and

WHEREAS, for these reasons the Mayor and the Municipal Council recommend Government Strategy Group for its Financial Management Services and seek to enter a contract with Government Strategy Group 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, 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; the total amount of this contract shall be in the amount of \$15,950.00 per month, payable in monthly installments, not to exceed \$191,400.00 for the one year contract; and

WHEREAS, prior to entering into a contract, Government Strategy Group, 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 Government Strategy Group from making any reportable contributions through the term of this one year contract; and

WHEREAS, funds for this contract in the amount not to exceed \$191,400.00 will be available in the Finance Department— Other Professional Services Account, subject to and contingent upon appropriation of sufficient funds in both the 2019 and 2020 budgets; 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 a contract and any other necessary documents, with Government Strategy Group, 450 Shrewsbury Plaza, #330, Shrewsbury, NJ 07702, in an amount not to exceed \$191,400.00 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.213-042019

RESOLUTION AUTHORIZING PAYMENT OF OUTSTANDING INVOICES FOR C-3 TECHNOLOGIES, LLC FOR THE YEAR 2018

WHEREAS, there is a need to pay outstanding invoices for C-3 TECHNOLOGIES, LLC, 6 Lakeview Court, North Brunswick, NJ 08902 for repairs on gas/diesel tanks and for compliance operator; and

WHEREAS, for the previous twelve months, the Township expended \$15,301.88 with C-3 TECHNOLOGIES, LLC., and the current outstanding invoices in the total amount of \$10,742.52 will make a combined total amount of \$26,044.40 in a twelve month period; and

WHEREAS, funds for this purchase, in the total amount not to exceed of \$10,742.52 are available in the Fuel & Lubricants-Maint of Other Equip Account, number 8-01-31-0460-000-026; and

WHEREAS, this amount exceeds \$17,500.00 and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; 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, prior to contract/Purchase order, C-3 TECHNOLOGIES, LLC, 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 C-3 TECHNOLOGIES, LLC, from making any reportable contributions through the term of the contract; and

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

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

1. The Mayor, or his designee, is hereby authorized to pay the invoices in the amount of \$10,742.52 to C-3 TECHNOLOGIES, LLC,.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq, as described herein.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$10,742.52** are available for the above contract in Account No. 8-01-31-0460-000-026.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.214-042019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO WITMER PUBLIC SAFETY GROUP, INC. FOR THE FURNISHING OF FN FIREARMS AND ACCESSORIES

WHEREAS, bids were received by the Township of Edison on March 29, 2019 for Public Bid No. 19-03-12-FN Firearms and Accessories for the Division of Police; and

WHEREAS, WITMER PUBLIC SAFETY GROUP, INC., 104 Independence Way, Coatesville, PA 19320, submitted the lowest legally responsible, responsive bid; and

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

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$150,000.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by WITMER PUBLIC SAFETY GROUP, INC., 104 Independence Way, Coatesville, PA 19320 for FN Firearms and Accessories for the Division of Police 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 \$150,000.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with WITMER PUBLIC SAFETY GROUP, INC.

RESOLUTION R.215-042019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CONTINENTAL FIRE & SAFETY, INC. FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT-DIVISION OF FIRE/FIRE PREVENTION

WHEREAS, bids were received by the Township of Edison on March 20, 2019 for Public Bid No. 19-01-29-Uniforms and Equipment-Division of Fire/Fire Prevention for the Township of Edison; and

WHEREAS, CONTINENTAL FIRE & SAFETY, INC., 2740 Kuser Road, Hamilton, NJ 08691, submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

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

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$6,400.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by CONTINENTAL FIRE & SAFETY, INC., 2740 Kuser Road, Hamilton, NJ 08691 for Uniforms and Equipment-Division of Fire/Fire Prevention is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$6,400.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with CONTINENTAL FIRE & SAFETY, INC.

RESOLUTION R.216-042019

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO FIT-RITE UNIFORM CO., INC.
FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT-DIVISION OF FIRE/FIRE PREVENTION**

WHEREAS, bids were received by the Township of Edison on March 20, 2019 for Public Bid No. 19-01-29-Uniforms and Equipment-Division of Fire/Fire Prevention for the Township of Edison; and

WHEREAS, FIT-RITE UNIFORM CO., INC., 657 Chestnut St., Union, NJ 07083, submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

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

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$100,000.00, and cannot be encumbered at this time; and

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

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

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

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

1. All bids have been reviewed, and the bid submitted by FIT-RITE UNIFORM CO., INC., 657 Chestnut St., Union, NJ 07083 for Uniforms and Equipment-Division of Fire/Fire Prevention is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$100,000.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with FIT-RITE UNIFORM CO., INC.

RESOLUTION R.217-042019

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO WITMER PUBLIC SAFETY GROUP, INC. FOR THE FURNISHING OF UNIFORMS AND EQUIPMENT-DIVISION OF FIRE/FIRE PREVENTION

WHEREAS, bids were received by the Township of Edison on March 20, 2019 for Public Bid No. 19-01-29-Uniforms and Equipment-Division of Fire/Fire Prevention for the Township of Edison; and

WHEREAS, WITMER PUBLIC SAFETY GROUP, INC., 104 Independence Way, Coatesville, PA 19320, submitted the lowest legally responsible bid for various items of the bid as listed on the spreadsheet; and

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

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

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

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

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

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

1. All bids have been reviewed, and the bid submitted by WITMER PUBLIC SAFETY GROUP, INC., 104 Independence Way, Coatesville, PA 19320 for Uniforms and Equipment-Division of Fire/Fire Prevention is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$200,000.00, for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with WITMER PUBLIC SAFETY GROUP, INC.

RESOLUTION R.218-042019

RESOLUTION AWARDING NON FAIR AND OPEN CONTRACT TO V-COMM, LLC FOR RADIO COMMUNICATION SYSTEM CONSULTANT

WHEREAS; Edison Township is in need of engineering communication system consulting services; and

WHEREAS; V-COMM, LLC has submitted a proposal to provide said services for a price not to exceed \$115,900.00; and

WHEREAS, funds in the amount of \$115,900.00 have been certified to be available in the Section 20 Costs Account, No. C-04-14-1872-490-000; and

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

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

WHEREAS, prior to entering into a contract V-COMM, LLC, 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 V-COMM, LLC from making any reportable contributions through the term of the contract; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$115,900.00, and any other documents with V-COMM, LLC, 2540 US Highway 130, Ste. 101, Cranbury, NJ 08512 in accordance with the proposal.
2. This contract is awarded pursuant to N.J.S.A. 19:44A-20.5 et. seq.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$115,900.00** are available for the above contract in Account No. **C-04-14-1872-490-000**.

Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.219-042019

EXPLANATION: This Resolution authorizes the Township to retain Dressel/Malikschnitt LLP to provide professional legal services to the Municipal Council in connection with the committee of the whole created pursuant to R.111-022019.

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 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, pursuant to R. 111-022019, adopted by the Municipal Council on February 27, 2019, a committee of the whole Municipal Council was established for the purpose of conducting an inquiry as to certain local election issues, pursuant to *N.J.S.A. 40:69A-36, N.J.S.A. 40:69A-37 and N.J.S.A. 40:48-25*; and

WHEREAS, the Municipal Council wishes to retain the services of Dressel/Malikschnitt LLP (“**Counsel**”) to provides legal services related to such matters; and

WHEREAS, for these reasons the Municipal Council seeks to enter a contract for legal services with Counsel in accordance with the terms set forth in the Agreement of Retention (“**Retention Agreement**,” a copy of which is attached hereto as Exhibit A) to provide for the representation of the Municipal Council as a committee of the whole pursuant to R.111-022019; 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 Retention Agreement, Counsel will have completed and submitted a Business Entity Disclosure Certification, which certifies that no individual with a ten percent (10.0%) interest or larger in Counsel has made any reportable contributions to a political or candidate committee of the Municipal Council in the previous year, and that an individual with a ten percent (10.0%) interest or larger in Counsel will be prohibited from making any reportable contributions through the term of the Retention Agreement, pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

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

WHEREAS, compensation for the professional legal services included under the Retention Agreement shall be rendered at the hourly rate of \$175.00 per hour, payable monthly, and as further set forth in the Retention Agreement not to exceed \$25,000; 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 Municipal Council President is hereby authorized and directed to execute the Retention Agreement with Counsel for its representation of the Municipal Council in connection with the creation of a committee of the whole pursuant to R. 111-020219.

3. The Retention Agreement 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 Retention Agreement authorized hereby will be provided by the Chief Financial Officer of the Township and will be made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2019 calendar year.

5. No payments in excess of any amounts set forth in the Retention Agreement will be approved, unless such services or expenditures are negotiated and agreed upon in advance of service delivery.

6. Any modification to the Retention Agreement shall be in writing and signed by both parties, and upon obtaining said signatures shall immediately become a part of the contract.

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

8. The Retention Agreement shall, for all purposes, be deemed a New Jersey contract and the provisions of the Retention Agreement shall be governed and interpreted according to the laws of the State of New Jersey.

9. This Resolution shall take effect immediately.