

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING
April 24, 2017**

A Combined Meeting of the Municipal Council of the Township of Edison was held in the Council Chambers of the Municipal Complex. The meeting was called to order at 6:05 p.m. by Council President Lombardi followed by the Pledge of Allegiance.

Present were Councilmembers Coyle, Diehl, Lombardi, Patil, Sendelsky and Shah.

Councilmember Gomez entered at 6:16pm.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane, Health Director Elliott, Township Engineer Kataryniak, Assistant Public Works Director Russomanno, Deputy Police Chief Mieczkowski, 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 30, 2016 and posted in the Main Lobby of the Municipal Complex on the same date.

4. **REVIEW OF MINUTES:**
a. No comment was made.

5. **ADMINISTRATIVE AGENDA;**
a. No comment was made.

6 **REPORTS FROM ALL COUNCIL COMMITTEES:**

Councilmember Coyle, the environmental commission is working tirelessly on a number of projects throughout the town.

Councilmember Diehl, the most impressive part of Earth Day yesterday was all the different committees taking part in putting this event together. It was a wonderful day. He thanked the Mayor, Public Works and Recreation department for all work on making this day successful.

7. **POINTS OF LIGHT:**

Council President Lombardi, today is Holocaust Remembrance Day and there is a ceremony tonight at 7:00pm at the JCC on Oak Tree Road. He also announced April 30th is the CARE walk at Edison High School, and April 26th is Administrative Professionals Day. We will be canceling our Monday, May 22nd meeting and making May 24th meeting combined will start at 6:00pm.

Councilmember Sendelsky thanked the Environmental Committee for all their work. On June 3rd the Rabie Clinic will be at the Dog Park. This past weekend was also North Edison Little League and Midtown Opening Day celebrations.

8. **FROM THE BUSINESS ADMINISTRATOR:**
a. No comment was made.
b. Councilmember Patil asked if this is for in house.
Ms. Ruane, it is for the whole township.
c. No comment was made.

9. **FROM THE DEPARTMENT OF FINANCE:**
a. through d. No comments were made.

10. **FROM THE DEPARTMENT OF LAW:**
a. through f. No comments were made.

11. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
a. through h. No comments were made.

12. **FROM THE CHIEF OF FIRE:**
a. through c. No comments were made.

13. **FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:**

Councilmember Sendelsky report as follows:

Edison Township Planning Board Meeting of Monday April 17, 2017

Four resolutions were passed as follows: #P5143 Chen and Hou 26 Portland Street (Final subdivision), #P 15-2016 Hilltop Associates (Oak Tree Road and Dayton Drive) #P14-2016 Edison Village Brunswick Avenue, and #P16-2016 K Land 44 Gibian Street. Case #P 5180 Gulberg Builders 9 Cutter Avenue Block 604 Lot 4.01 was postponed until May 15, 2017 because of a problem with their notification so the applicant will re-notice. Case P18- 2016 Mocchi Inman Plaza Inc. , Jan Place and Inman Avenue Block 429 Lots 5.02 and 5.03 could not be heard due to the late hour that the meeting ended so it will be heard at the next meeting on May 15, 2017 with **no** re-notice.

Case #P6-2016 Lincoln Property Management which owns the Open Road Mini Cooper of Central New Jersey Block 337 K Lots 7,8,9, 10E, & 10D1. They had overlooked that they had two signs more than twenty feet from the ground because the sign height was not dimensioned on the Architectural plan and it would have to have been scaled off the Architectural drawings, and this sign height requires a variance. The applicant asked for a Flexible "C" variance for the 2 signs which the board, after some questioning of the applicant's attorney, granted.

Representatives from J P Stevens High School appeared before the board to describe a small building that will be built to house a farmers market which will sell vegetables to local restaurants and at the same time provide skills to students in both farming and business. This did not require Planning Board approval and was for informational purposes only.

The last case heard was Case #P4-2017 Metuchen Catholic Charities Senior Development 635 Amboy Avenue Block 748 Lot 36. This was a proposal to Convert /Demolish an old Knights of Columbus Building / Our Lady of Peace to allow the Construction of a 3 story building containing 42 units. No variances were required. This project is part of Edison Township's Fair Share Housing Plan that was approved by both the Planning Board and the Council. John Westerville the CEO of Catholic Charities made a brief presentation. He stated that they agreed to make the units 62 plus age restricted meaning everyone on the building must be 62 years of age or older. He explained that 37 of the units would have an average median income of \$43,900 if the person is single or \$49,600 for a couple. The remainder of the units would be \$21,800 for a single person and \$24,900 for a couple. The one bedroom units would be 650 sf and the one two bedroom unit would be 850 sf in size. There would be 36 one bedroom units with a monthly rent of \$997 and the one two bedroom rental would be \$1180 per month. There would be five units that would be very low income units to make up the total 42 units. The deed restriction for these units would be 42 years. The staff would be as part time office manager to handle rentals, accept people dropping off money and to recertify the occupants annual incomes. There would also be a full time maintenance person Monday through Friday and then that person would be on call on weekends and available by cell phone. There would be no outside dumpster but there would be interior recycling and compactors and the garbage would be put out the day that it was to be picked up. I asked if preference would be given to Edison Residents but, he explained that to make it fair, a lottery system has to be used. Steven Cohen the Architect for the project then explained that there would be two elevators in the building (one that could accommodate a stretcher) and that the building would be ADA compliant. The building would also be fully sprinklered. The final testimony was given by the applicants Traffic Engineer, Andrew Ferranda. Traffic counts were taken at the peak hours of 7-9 am in the morning and 4- 6 pm in the evening. The level of service was "C" or better for the build out year of 2019. Several residents from the neighborhood came out both to comment about certain aspects of the project which they wanted clarified and also some came out to express that they were glad something productive was going to happen on the site. Preliminary and Final approval was granted with these final conditions: subject to all our professionals reports, daylight hours pick up of garbage, subject to the police and fire reports, that the onsite light poles will be lowered and turned off after 9 pm as to not interfere with the residents, red brick around the entire building to break up the drive-it look of the building and with the certification that the church has enough parking spaces in their lot in accordance with the testimony that was given.

The next meeting of the Planning Board will be May 15 at 7 PM.

Respectfully submitted Councilmember Sendelsky

**14. UNFINISHED BUSINESS:
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING:**

- O.1971-2017 No comment was made
- O.1972-2017 No comment was made.

15. COMMUNICATIONS:
a. None

16. DISCUSSION ITEMS:

Council President Lombardi:

- a. This is Mr. Kataryniak last meeting. He thanked him for his knowledge, dedicated service and wished him well in his new endeavor

Mr. Kataryniak said he enjoyed his time here. He will be happy to help any way he can for a smooth transition.

Councilmember Coyle:

- a. He asked the Engineer about the new handicapped ramps to nowhere.

Mr. Kataryniak, it is Federal Law when we put in new curbs they have to be ADA compliance and all corners we must provide with ramps.

- b. He is sorry to see Mr. Kataryniak leave, wished him well and good luck.

Councilmember Diehl:

- a. He thanked Councilmember Sendelsky for his planning board report.

- b. He reported the Sub Committee on Top Golf has been working with administration to make it a better situation.

Mr. Kataryniak has been in touch with the Construction Manger of Top Golf and they are committed to helping us with the situation. They are surveying the property this week.

He thanked Mr. Northgrave and Mr. Kataryniak for all their help to resolve the situation.

Councilmember Gomez:

- a. The Public Safety committee is moving forward on the Fire Hiring and Promotion Ordinance, they should have a draft in a few weeks to the Council.

- b. He asked Councilmember Sendelsky for an Update on recycle coach app.

Councilmember Sendelsky is still working on it.

- c. He reminded the Resident that our cardboard boxes don't have to be put in the recycling bin just put nest to can, the town benefits when separate.

- d. He thanked Mr. Kataryniak for all his work on our projects, we will miss you.

Councilmember Patil:

- a. None

Councilmember Sendelsky:

- a. He thanked Top Golf Sub- Committee.

- b. He asked Mr. Elliot to check on the house on Glenville Road that is parcallly knocked down and not fenced off.

Mr. Elliot will check on first thing tomorrow.

- c. He thanked Mr. Kataryniak for his work on the Top Golf and also thanked him for his work while he was our Engineer.

Councilmember Shah:

- a. She thanked Mr. Kataryniak for taking all the calls from residents, you saved us from some problems. All the best, who knows you may come back.

17. APPROVAL OF MINUTES:

On a motion made by Councilmember Sendelsky, seconded by Councilmember Coyle and duly carried, the Minutes of the Combined Meeting of April 12, 2017 were accepted as submitted.

18. COUNCIL PRESIDENT'S REMARKS:

Council President Lombardi, no additional remarks, all said in Points of Light.

**19. UNFINISHED BUSINESS
ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING**

The following Ordinances, which were introduced by Title on April 12, 2017 passed on first reading, published according to law for further consideration at this meeting, were read by the Township Clerk:

O.1971-2017 AN ORDINANCE AMENDING CHAPTER 10 TO ESTABLISH AN ON-LINE EXCHANGE ZONE FOR INTERNET-BASED TRANSACTIONS AT THE TOWNSHIP OF EDISON PUBLIC SAFETY COMPLEX.

(The above Ordinance O. 1971-2017 can be found in its entirety in Ordinance Book #27.)

Council President Lombardi declared the Public Hearing opened for O.1971-2017

None

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

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

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

NAYS - None

The following Ordinances, which were introduced by Title on April 12, 2017 passed on first reading, published according to law for further consideration at this meeting, were read by the Township Clerk:

O.1972-2017 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A WAREHOUSE BUILDING IN AND BY THE TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$1,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,710,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST

(The above Ordinance O. 1972-2017 can be found in its entirety in Ordinance Book #27.)

Council President Lombardi declared the Public Hearing opened for O.1972-2017

Walter Stochel, 2118 Oak Tree Road, this is for Shelter Workshop what is the time table.

Ms. Ruane explained the process of the Bond Ordinance.

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

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

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

NAYS – None

NEW BUSINESS
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR WEDNESDAY, MAY 10, 2017

O. 1973-2017 ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 11 “GENERAL LICENSING AND BUSINESS REGULATIONS” SETTING FORTH REQUIREMENTS FOR FILMING AND VIDEOTAPING IN THE TOWNSHIP

On a motion made by Councilmember Patil seconded by Councilmember Sendelsky this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on May 10, 2017.

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

NAYS – None

O.1974-2017 ORDINANCE REVOKING AND RESCINDING ORDINANCE O.1861-2014)

On a motion made by Councilmember Sendelsky seconded by Councilmember Patil this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on May 10, 2017.

AYES - Councilmembers Coyle ,Diehl, Gomez, 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.268-042017 through R.292-042017.

Esther Nemitz, 162B Fay Street, Resolution R.287-042017 and R.288-042017, thank you and the mayor for these appointments. Resolution R.277-042017 she is in support of this and feel we should be in touch with Congressman Pallone. Resolution R. 272-042017, it is really dangerous when you come off Route 287.

Mr. Northgrave explained this is the first step is to get the funding.

Maryann Hennessey, 20 Carmello Drive, Resolution R.292-042017, Mark sorry we are losing you from a resident sad found you be professional and really concerned. Hate to see you go out the door.

Ms. Hennessey, Resolution R.284-042017, why are we buying vehicles from the state of Delaware.

Fire Chief Latham explained they have state contract.

Ms. Hennessey, Resolution R.285-042017 why is the electrical installation almost the same as purchasing of them.

Fire Chief Latham explained in detail.

Walter Stochel, 2118 Oak Tree Road, Resolution R.282-042017 what location? Resolution R.274-042017, he is happy to see this.

Ms. Nemitz, she wished Mr. Kataryniak well and thanked him for his service here.

Mr. Kataryniak, he will still be helping with the transition.

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

The following Resolutions R.268-042017 through R.292-042017 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Sendelsky.

RESOLUTION R.268-042017

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING April 20, 2017

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through April 20, 2017

FUND	AMOUNT
Current	\$4,905,261.67
Affordable Housing	15,612.40
Capital	203,805.99
Cash Performance	273,686.46
CDBG	18,655.46
Developers Escrow	290,778.93
Dog (Animal Control)	12,826.21
Federal Forfeited	0.00
Grant Funds	1,570.46
Law Enforcement	0.00
Open Space	7,500.00
Park Improvements	0.00
Payroll Deduction	561,137.33
Sanitation Fund	202,107.48
Self Insurance	0.00
Sewer Utility	6,126,035.99
Tax Sale Redemption	737,038.65
Tree Fund	0.00
Tree Planting	14,415.95
Trust	111,781.79
Water Operating Fund	
TOTAL	\$13,482,214.77

/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.269-042017

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 **\$373,857.88**.

RESOLUTION R.270-042017

**Authorizing Overpayment Refund caused by
Successful Tax Court Appeal with Freeze Act provision**

WHEREAS, This office has received successful tax appeals judgment from the Tax Court of New Jersey for the case below as specified on Council’s resolution **R.R.467-062016**:

TAXPAYER	BT-NEWYO, LLC C/O PROPERTY TAX DEPT
PROPERTY LOCATION	1 & 3 CLOVER PL
BLOCK / LOT / QUALIFIER	390.R/10.A
DOCKET NUMBER:	006803-2016
TAX YEAR	2016

WHEREAS, in accordance with the Tax Court of New Jersey, the assessed value of the property have been reduced for the applied tax year, but also the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for the Freeze Act Year (s): 2016.

WHEREAS, the reduction in assessed value, for the Freeze Act Year(s) listed, has caused a real estate tax overpayment in the amount of **\$33,555.36** and

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 **\$33,555.36**.

RESOLUTION R.271-042017

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 **\$651.71**.

RESOLUTION R.272-042017

EXPLANATION: A Resolution supporting certain roadway ramp improvements, reconfiguration and establishment of an entrance ramp from Route 27 North onto Route 287.

WHEREAS, the Township of Edison (the “**Township**”) is a municipal corporation of the State of New Jersey; and

WHEREAS, the Township’s roadways are critical to the economic health and success of the Township; and

WHEREAS, the New Jersey Department of Transportation, the New Jersey Transportation Trust Fund Authority, and/or similarly situated state entities (collectively, the “**State**”) may consider certain roadway ramp improvements, including the reconfiguration and establishment of an entrance ramp from Route 27 North in the Township onto Route 287 (the “**Project**”); and

WHEREAS, the estimated total cost of the Project is estimated to be \$30,000,000; and

WHEREAS, the area of the Project already experiences significant traffic, notwithstanding the comprehensive redevelopment occurring in downtown Metuchen, as well as the FedEx and Amazon projects slated for the former Exxon/Mobil site; and

WHEREAS, in order to make basic improvements to the area of Route 27 and Route 287 in the Township as well as to ensure the longtime, economic viability of the Township and the surrounding area that would result from the Project, the Mayor and Municipal Council hereby support the Project and encourage the Township’s legislative delegation to work with elected and appointed State officials to identify and provide funding for the necessary improvements; and

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 Municipal Council hereby endorses certain roadway ramp improvements, reconfiguration and establishment of an entrance ramp from Route 27 North onto Route 287.

Section 3. The Township Clerk is hereby instructed to forward a copy of this Resolution to the State Senate and Assembly elected leadership.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.273-042017

EXPLANATION: A Resolution authorizing the entering of a Shared Services Agreement with the County of Middlesex for the construction of playground, safety surfacing and fencing at Whitman Avenue Park in the Township of Edison.

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, the Township currently owns and manages an Off-Leash Dog Area, known as Whitman Avenue Park in the Township, located at 125 Whitman Avenue, commonly referred to as Block 199-A, Lot 31-B-1 on the tax maps of the Township (the “**Whitman Avenue Dog Park**”); and

WHEREAS, the Township is in need of a playground, safety surfacing and fencing at the Whitman Avenue Dog Park (the “**Project**”); and

WHEREAS, the Township and the County of Middlesex (the “**County**”) are public bodies corporate and politic of the State of New Jersey and are authorized to enter into a Shared Services Agreement pursuant to the Shared Services Act with regard to the Project (the “**Agreement**”); and

WHEREAS, the Township and the County are desirous of entering into an agreement for the County, at its own cost and expense to furnish, supply or undertake the construction of the Project pursuant to the Agreement and the Township shall, at its own cost and expense, furnish, supply or undertake all necessary services for construction administration of the Project pursuant to the Agreement; and

WHEREAS, the Township and the County are desirous to enter into the negotiated Agreement, a copy of which is annexed hereto as **Exhibit A**; and

WHEREAS, the Agreement shall terminate upon completion of the Project, but shall not exceed a period of one (1) year; and

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

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

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

Section 2. The form of the Agreement is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement 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 County will forward a copy of the signed Agreement to the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, for informational purposes, in accordance with the Shared Services Act.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.274-042017

EXPLANATION: A Resolution authorizing the entering of a Shared Services Agreement with the County of Middlesex to provide aerial photogrammetric, GIS, new certified tax map and other GIS based services to the Township.

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, the New Jersey Division of Taxation prescribes a uniform system of creating and maintaining real estate tax map information for municipalities and counties throughout the State; and

WHEREAS, the Township and the County of Middlesex (the “**County**”) are public bodies corporate and politic of the State of New Jersey and are authorized to enter into a Shared Services Agreement pursuant to the Shared Services Act; and

WHEREAS, the County has committed to the implementation of a Centralized Property Tax Map Administration Project (“**CPT-MAP**”) utilizing Professional Photogrammetry and Land Surveying services for aerial photogrammetric, GIS and new certified tax mapping services to be linked to the existing digital tax assessment database to be accessible and potentially utilized by all municipalities in the County; and

WHEREAS, the CPT-MAP will extend technical and financial assistance to Municipalities in order to identify issues of inequity and inefficiencies in the tax administration process in compliance with all statutory and regulatory mandates, which will result in a significant reduction in operational expenditures; and

WHEREAS, the County and the Township are desirous to enter into a negotiated Shared Services Agreement, a copy of which is annexed hereto as **Exhibit A** (the “**Agreement**”); and

WHEREAS, the Agreement can be terminated by either the Township or Woodbridge, for any reason, upon sixty (60) days’ notice to the other party; and

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

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

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

Section 2. The form of the Agreement is hereby approved, and the Municipal Council hereby authorizes and directs the Mayor subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement 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 County will forward a copy of the signed Agreement to the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, for informational purposes, in accordance with the Shared Services Act.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.275-042017

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 15-31-01: 2015 Road Resurfacing Program – Various Streets – Phase I; authorizes a Corrective Change Order No. 1 for Final As-Built Quantities; and authorizes FINAL CONTRACT PAYMENT for release of retainage and close-out of the construction project.

WHEREAS, the Township of Edison advertised for a construction contract for the 2015 Road Resurfacing Program – Various Streets – Phase I, Township of Edison, Middlesex County, New Jersey under Public Bid No. 15-31-01; and

WHEREAS, MECO, Inc., PO Box 536, Clarksburg, NJ 08510 was awarded a construction contract through resolution R.371-062015 in a contract amount not to exceed \$1,013,578.25 for the project; and

WHEREAS, upon tabulation and review of as-built construction quantities and necessary field changes during construction, it has been determined by the Township Engineer that there is a net reduction of \$41,859.67 in the final construction costs resulting in a revised and final total construction contract amount of \$971,718.58, as detailed in the attached Change Order No. 1; and

WHEREAS, the Township Engineer has reviewed the project and certifies the construction work has been completed, and therefore recommends project acceptance, release of the performance bond following receipt of a two-year maintenance bond; and that final payment, including retainage, be made to MECO, Inc., in an amount of \$41,284.21 for a total construction contract as-built cost of \$971,718.58.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that the project under Public Bid No. 15-31-01: 2015 Road Resurfacing Program – Various Streets – Phase I, is deemed accepted by the Township of Edison, and that the performance bond shall be released upon receipt of a fully executed Maintenance Bond, and that final payment, including retainage, shall be made to MECO, Inc., in an amount of \$41,284.21 for a total construction contract as-built cost of \$971,718.58, and that the remaining contract balance of \$41,859.67 be deducted from the contract, be unencumbered after final payment is made, and said unexpended contract amount shall be restored to the appropriate Township account.

RESOLUTION R.276-042017

EXPLANATION: This resolution provides refund of the construction permit fee, less the DCA fee & 20 percent review fee, posted for a residential construction permit, the work was never performed by Solar City, 9 Corporate drive Cranbury, NJ 08512 in the amount of \$493.00

WHEREAS, on May, 4th, 2016, a Construction Permit #2016-1650 check #765269, was posted in the total amount of \$493.00 by the contractor, Solar City, having offices at 9 Corporate Drive, Cranbury, NJ 08512 and;

WHEREAS, the application was submitted for Solar Panels at 26 Heather Drive, Edison, NJ 08820, by the hired contractor; Solar City, 9 Corporate Drive, Cranbury NJ 08512;

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was cancelled therefore it is appropriate that the municipal permit fee, less the 20 percent review fee of \$92.00 less DCA fee of \$34.00 derived from the \$493.00 total construction permit fee be refunded to the contractor Solar City in the amount of \$367.00

WHEREAS, the Township Engineer recommends the refund of the municipal permit fee, on Construction Permit #2016-1650, in the amount of \$367.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$367.00 on construction permit fees posted by Solar City, 9 Corporate Drive, Cranbury, NJ 08512 be refunded to the contractor in the amount of \$367.00

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$367.00 from the Refund of Revenue Fund to the Contractor, Solar City, 9 Corporate Drive, Cranbury, NJ 08512.

RESOLUTON R.277-042017

EXPLANATION: A Resolution Supporting the Community Development Block Grant Program and Urging Congress to Restore its Funding

WHEREAS, the Community Development Block Grant (CDBG) Program was enacted, and signed on August 22 into law by President Gerald Ford, as the centerpiece of the Housing and Community Development Act of 1974; and,

WHEREAS, the CDBG program has as its primary objective "... the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income;" and,

WHEREAS, the CDBG program has considerable flexibility to allow communities to carry out activities that are tailored to their unique affordable housing and neighborhood revitalization needs; and,

WHEREAS, throughout its 42-year history, the CDBG program has been a partnership among the federal, state and local governments, business, and the nonprofit sector which carry out activities that improve the lives and neighborhoods of low and moderate income families; and

WHEREAS, according to the Department of Housing and Urban Development (HUD),CDBG provided funds for thousands of activities, assisting persons and households through such activities as expanding homeownership activities, improving infrastructure such as roads, water and sewer systems, libraries, community centers, adult day care and child care scholarships for children of low and moderate-income families, homeless housing facilities, employment training, transportation services, public housing modernization and historic preservation; and

WHEREAS, the Township of Edison has allocated CDBG funds to various activities in the amount of \$535,448; and

WHEREAS, funding for the Program Year 2017 CDBG Program has not been finalized and approved by the President and the Congress of the United States; and

WHEREAS, the President's Fiscal Year 2018 budget proposes to completely eliminate the CDBG Program; and

WHEREAS, such action will no longer enable cities, counties and states to meet their community development, affordable housing and economic development needs.

NOW, THEREFORE, BE IT RESOLVED, that the (name of jurisdiction) hereby calls on the Congress to preserve the Community Development Block Grant (CDBG) Program within the Department of Housing and Urban Development at a funding level of no less than \$1,748,848 in formula funding allocated in Program Year 2016.

RESOLUTION R.278-042017

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Markim Developers, for 757 Old Raritan Road, Edison, NJ 08820; Block 402; Lot 3; Tree Permit #12-140; Account #7762575848

WHEREAS, on September 13, 2013, Markim Developers, posted Tree Maintenance Bond fees in the amount of \$675.00, with Check No. 1518, on deposit with the Township of Edison in account #7762575848 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #12-140, on the property identified as 757 Old Raritan Road, Edison, NJ 08820; Block 402; Lot 3;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$675.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$675.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$675.00, plus any accrued interest as applicable, on deposit in Account #7762575848 to Markim Developers, 910 Amboy Avenue, Edison, NJ 08837, for the referenced property at 757 Old Raritan Road, Edison, NJ 08820; Block 402; Lot 3.

RESOLUTION R.279-042017

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Ziga Homes Inc., for 1685 Frank Street, Edison, NJ 08820; Block 405; Lots 1 & 2.B; Tree Permit #10-085; Account #7761963698

WHEREAS, on June 12, 2012, Ziga Homes, Inc., posted Tree Maintenance Bond fees in the amount of \$2,175.00, with Check No. 2979, on deposit with the Township of Edison in account #7761963698 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #10-085, on the property identified as 1685 Frank Street, Edison, NJ 08820; Block 405; Lots 1 & 2.B;

WHEREAS, confirmation by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the maintenance period for the trees planted have exceeded the required two year maintenance period; and

WHEREAS, it is the recommendation of the Township Engineer that a Tree Maintenance Bond refund in the amount \$2,175.00 be refunded to the applicant; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Tree Maintenance Bond in the amount of \$2,175.00 hereinabove mentioned be refunded to the applicant; and

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of **\$2,175.00**, plus any accrued interest as applicable, on deposit in Account **#7761963698** to Ziga Homes Inc., 910 Amboy Avenue, Edison, NJ 08837, for the referenced property at 1685 Frank Street, Edison, NJ 08820; Block 405; Lots 1 & 2.B.

RESOLUTION R.280-042017

EXPLANATION: Resolution Refunding Engineering Inspection Fees to Markim Developers, LLC, for the property now known as 785 Old Raritan Road, Block 403, Lot 4.01; Edison, NJ, Account **#7760296236**

WHEREAS, the Township Engineer advises that a final inspection was made on the above subject project located in property now known as Block 403, Lot 4.01, Application No. P5149.

WHEREAS, the applicant has requested the return of the unused portion of Engineering Inspection fees, as provided by law; and

WHEREAS, it is in now in order that the sum of \$14.43, which represents the balance of the unused portion of the engineering inspection escrow and the amount due and owing the applicant, be returned to Markim Developers, LLC, having offices at 910 Amboy Avenue, Edison, NJ 08837, Account #7760296236.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$14.43 plus accrued interest, if applicable, be refunded to the applicant, Account #7760296236.

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of **\$14.43** in account **#7760296236** to the applicant, having an offices at 910 Amboy Avenue, Edison, NJ 08837.

RESOLUTION R.281-042017

EXPLANATION: Resolution refunding a Cash Performance Bond to 1000 King Georges Post Road, LLC, for guarantees associated with the construction of a Sanitary Sewer Connection within Edison Township for a warehouse located at 1000 King Georges Post Road, located in Woodbridge Township, Woodbridge Township Tax Map Reference Block: 65, Lot 12; Account **#7763342555**

WHEREAS, on October 2, 2015, 1000 King Georges Post Road, LLC, posted Cash Performance Check #174 in the amount of \$5,475.60 to guarantee the installation of a sanitary sewer connection within Edison Township property to support the modifications of a warehouse located within Woodbridge Township known as 1000 King Georges Post Road, Woodbridge Township Tax Map Reference Block: 65, Lot 12; and

WHEREAS a final inspection of the constructed improvements has been made, and the Township Engineer has determined that the project has been satisfactorily completed, and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Cash Performance in the amount of **\$5,475.60** plus accrued interest, if applicable, on deposit in account **#7763342555** to the applicant, 1000 King Georges Post Road, LLC, having offices at 160 Raritan Center Parkway, Suite 20, Edison, NJ 08837.

RESOLUTION R.282-042017

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT TO EXCEL ENVIRONMENTAL RESOURCES, INC. FOR ENVIRONMENTAL CONSULTING SERVICES

WHEREAS, the Township of Edison (“Township”) has the need to renew their professional services contract with **EXCEL ENVIRONMENTAL RESOURCES, INC.**, 111 North Center Drive, North Brunswick, NJ 08902 to act as an environmental consultant to the Township of Edison, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq and N.J.S.A. 19:44A-20.5, et seq.; and

WHEREAS, prior to the execution of the Services Contract, the Company will have completed and submitted a Business Entity Disclosure Certification to the Township, which certifies that no individual with a ten

percent (10%) interest or larger in the Company has made any reportable contributions to a political or candidate committee in the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10%) interest or larger in the Company from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

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

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

WHEREAS, the total compensation paid under this contract shall not exceed \$75,000.00; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract in an amount not to exceed \$75,000.00 and any other necessary documents with **EXCEL ENVIRONMENTAL RESOURCES, INC.**, 111 North Center Drive, North Brunswick, NJ 08902 for Environmental Consulting Services as described herein.
2. The Services Contract is awarded without competitive bidding as a “professional service” under the provisions of the Local Contracts Law, more specifically *N.J.S.A. 40A:11-5*, because the services in question are of a specialized, technical and professional nature.
3. The Mayor of the Township may, upon ten (10) days written notice, and without cause, terminate the Services Contract.
4. In accordance with *N.J.S.A. 40A:11-5* of the Local Contracts Law, the Municipal Council hereby directs the Township Clerk to publish once in the official newspaper of the Township, a brief notice, stating the nature, duration, service and amount of the Services Contract authorized for execution herein, which notice shall state that a copy of this Resolution and the Services Contract are on file and available for public inspection in the office of the Township Clerk.
5. The Services Contract has been awarded as a non-fair and open contract pursuant to *N.J.S.A. 19:44A-20.5* without competitive bidding.

RESOLUTION R.283-042017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CDW GOVERNMENT LLC FOR THE RENEWAL OF HARDWARE & SOFTWARE SUPPORT FOR THE TOWNSHIP SERVERS

WHEREAS, there is the need for the renewal of the Hardware & Software Support for the Township Servers for the Township of Edison for the period of May 1, 2017 – April 30, 2018 in the total amount of \$13,288.00; and

WHEREAS, **CDW-GOVERNMENT LLC**, 230 North Milwaukee Ave., Vernon Hills, IL 60061, has been awarded State Contract Number 40166 under M-0483/NASPO VALUEPOINT COMPUTER; and

WHEREAS, funds in the amount of \$13,288.00 have been certified to be available in Dispatch 911 Computer Hardware and Software Account, number 7-01-25-0250-000-059; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$13,288.00 and any other necessary documents, with **CDW-GOVERNMENT LLC**, 230 North Milwaukee Ave., Vernon Hills, IL 60061, as described herein.
2. This contract is authorized pursuant to the authority set forth in *N.J.S.A. 40A:11-12* of the Local Public Contracts Law, and State Contract, No. 40116, under M-0483.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$13,288.00** are available in Account number **7-01-25-0250-000-059**.

/s/ Nicholas C. Fargo

RESOLUTION R.284-042017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO HERTRICH FLEET SERVICES FOR THE PURCHASE OF ONE (1) 2017 CHEVROLET TAHOE 4WD 4DR SSV FOR THE DIVISION OF FIRE

WHEREAS, there is a need to purchase one (1) 2017 Chevrolet Tahoe 4WD 4 DR SSV for the Division of Fire; and

WHEREAS, HERTRICH FLEET SERVICES, 1427 Bay Road, Milford, DE 19963, has been awarded State Contract Number 88729 for one (1) 2017 Chevrolet Tahoe 4WD 4DR SSV under T-2776/Police Vehicles: Sedans, Sport Utility Vehicles and Trucks; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with **HERTRICH FLEET SERVICES** for the purchase of one (1) 2017 Chevrolet Tahoe 4WD 4 DR SSV at a price of \$36,019.64; and

WHEREAS, funds in the amount of \$36,019.64 have been certified to be available in the Fire Fighting Purchase of Vehicles Account, number 7-01-25-0265-001-051; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$36,019.64, and any other necessary documents, with **HERTRICH FLEET SERVICES**, 1427 Bay Road, Milford, DE 19963 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract No. 88729 under T-2776.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$36,019.64** are available for the above in Account No. **7-01-25-0265-001-051**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.285-042017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO W.W. GRAINGER INC. FOR THE PURCHASE OF ONE (1) 130KW GENERATOR FOR FIREHOUSE NO. 2 AND ONE (1) 50KW GENERATOR FOR FIREHOUSE NO. 1, INCLUDING ANCILLARY EQUIPMENT, FOR THE DIVISION OF FIRE

WHEREAS, there is a need to purchase for the Division of Fire, one (1) 130 kW generator for Firehouse No. 2 and one (1) 50kW generator for Firehouse No. 1, including ancillary equipment, at a price of \$34,307.66 and \$17,472.90, respectively, for a total purchase price of \$51,780.56; and

WHEREAS, W. W. GRAINGER INC., Grainger Industrial Supply Division, Government Call Center, 55 Jackson Drive, Cranford, NJ 07016 has been awarded State Contract Number 79875 for the purchase of electrical equipment under M-0002/Industrial/MRO Supplies & Equipment; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with **W. W. GRAINGER INC.** for the purchase of one (1) 130 kW generator for Firehouse No. 2 at a price of \$34,307.66 and one (1) 50kW generator for Firehouse No. 1 at a price of \$17,472.90, including ancillary equipment, for a total price of \$51,780.56; and

WHEREAS, funds in the amount of \$51,780.56 have been certified to be available in the Acquisition Self Contained Breathing Apparatus & Fire Pump Account, number C-04-16-1948-100-000; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$51,780.56, and any other necessary documents, with **W. W. GRAINGER INC.**, Grainger Industrial Supply Division, Government Call Center, 55 Jackson Drive, Cranford, NJ 07016 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract No. 79875 under M-0002.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$51,780.56** are available for the above contract in Account No. **C-04-16-1948-100-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.286-042017

RESOLUTION AUTHORIZING ADDITIONAL FUNDS WITH TSUJ FOR THE FURNISHING OF ELECTRICAL SERVICES FOR THE INSTALLATION OF ONE (1) 130 KW GENERATOR AT FIREHOUSE NO. 2 AND ONE (1) 50 KW GENERATOR AT FIREHOUSE NO. 1

WHEREAS, TSUJ CORPORATION, P.O. Box 4621, Wayne, NJ 07474 was awarded Contract No. 16-07-01-Electrical Services on December 14, 2016 through Resolution R.841-122016 for the period of January 9, 2017 through January 8, 2018 in the amount of \$75,000.00; and

WHEREAS, The Township is requesting additional funds under this contract to install one (1) new 150kW generator at Firehouse No. 2 and one (1) new 50 kW generator at Firehouse No. 1, with all ancillary equipment, at a cost of \$26,000.00 and \$21,000.00, respectively, for a total sum of \$47,000.00; and

WHEREAS, funds in the amount of \$47,000.00 have been certified to be available in the Acquisition Self Contained Breathing Apparatus & Fire Pump Account, number C-04-16-1948-100-000; 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 the Mayor, or his designee, is hereby authorized to amend and execute the contract in the amount not to exceed \$47,000.00 and any other necessary documents with **TSUJ CORPORATION** described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$47,000.00** are available for the above contract in Account No. **C-04-16-1948-100-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.287-042017

WHEREAS, a recommendation was made by Mayor Thomas Lankey to re-appoint Donald Corrette, 278 Grandview Avenue, Edison, New Jersey as a member of the Fair Rental Housing Board; and

WHEREAS, the Municipal Council wishes to confirm this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that Donald Corrette be re-appointed as a member of the Fair Rental Housing Board, term to expire February 10, 2020.

RESOLUTION R.288-042017

WHEREAS, a recommendation was made by Mayor Thomas Lankey to re-appoint Suzanne Cason O’Neill, 135 Vineyard Road, Edison, New Jersey as a member of the Fair Rental Housing Board; and

WHEREAS, the Municipal Council wishes to confirm this re-appointment;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison that Suzanne Cason O’Neill be re-appointed as a member of the Fair Rental Housing Board, term to expire February 10, 2020.

RESOLUTION R.289-042017

EXPLANATION: A Resolution authorizing a non-refundable grant of \$3,333.00 from the Township’s Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the tax differential of a Fair Market sale unit to an *affordable* housing unit.

WHEREAS, by Resolution the Township Council approved, authorized and established a Market To Affordable Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner/s in the purchase of eligible *affordable* housing units in the Township of Edison, to use these existing Fair Market value properties as Affordable Housing units (Unit), and committed one million dollars from the Township’s Affordable Housing Trust Fund for this purpose; and

WHEREAS, the Township Council also approved and adopted a Manual at that time for the Down Payment/Closing Cost Affordability Assistance Program in accordance with the Court’s directives, which set forth the application process for applicants to comply with in order to participate in the Program; and

WHEREAS, a Unit was located and an application to participate in the Program was submitted, reviewed and deemed complete and in compliance by the Township’s Administrative Agent with the requirements to purchase; and

WHEREAS, the Unit is now subject to a reduction in property taxes based on the affordable assessed value that is lower than the current “market rate” assessed value of the property located at 18 Burchard Street North for the 2017 tax year; and

WHEREAS, the Buyer is entitled to a non-refundable grant of \$3,333.00 to be paid from the Township’s Affordable Housing Trust Fund in order to provide affordability assistance by reducing the costs for the Buyer; and

WHEREAS, the Township will distribute these funds on behalf of the Buyer to Edison Township’s Tax Collector at the time of the Closing to subsidize the property taxes; and

WHEREAS, the Township Council desires to award these funds to provide assistance in the tax differential of an *affordable* unit at 18 Burchard Street in the amount of \$2,333.00 for the purpose and under the terms set forth herein under the Down Payment/Closing Cost Affordability Assistance Program; and to authorize the execution of an Agreement between the Township and Lani Solano, the Buyer, with respect to such grant.

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

1. The Township Council hereby approves and authorizes a non-refundable grant in the amount of \$2,333.00 from the Township’s Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Down Payment/Closing Cost Affordability Assistance Program, to be paid to Edison Township’s Tax Collector for the purposes set forth herein and authorizes the execution of an Agreement between the Township and Lani Solano, 18 Burchard Street, Edison, NJ 08837 with respect to such grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.290-042017

Menlo Park Plaza Associates, 90 Woodbridge Center Drive, Woodbridge, NJ 07095
Menlo Park Plaza Development
Block 694, Lots 1A, 2A, 3, 4A, 5, 6B, 7F, 12C, 12E, 12G, 12H1, 13A and
Block 1216, Lot 16; Application P-4831

Release of Balance on Performance Bond & Cash Performance Bond

WHEREAS, Menlo Park Plaza Associates, having offices at 90 Woodbridge Center Drive, Woodbridge, NJ 07095, posted a Performance Bond #S05573 on March 22, 2001 in the amount of \$2,730,246.75, to guarantee the installation of improvements for the project known as Menlo Park Plaza located in Block 694, Lots 1A, 2A, 3, 4A, 5, 6B, 7F, 12C, 12E, 12G, 12H1, 13A and Block 1216, Lot 16 and designated Application # P-4831; and

WHEREAS, The Performance Bond was reduced by Resolution R.237-052004 to a balance of \$819,074.03; and

WHEREAS, a Cash Performance Bond was posted by Letter of Credit on April 3, 2001, #SM416409C of First Union National Bank, in the amount of \$303,360.75. A Cash Bond Reduction was approved on May 12, 2004 by Resolution #R.237-052004, reducing the balance of the Cash Performance Bond by Letter of Credit to \$91,008.23; and

WHEREAS a final inspection of the constructed improvements has been made, and the Township Engineer has determined that the project has been satisfactorily completed; and

WHEREAS the amount of time that has passed since the completion of construction exceeds the statutory time for posting of a Maintenance Bond, making the posting of a Maintenance Bond unnecessary; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Final Acceptance of the improvements be granted, and that the Performance Bond of \$819,074.03, reduced under R.237-052004, be released.

BE IT FURTHER RESOLVED, that the Letter of Credit, in the amount of \$91,008.23, reduced under R.237-052004, be released.

RESOLUTION R.291-042017

RESOLUTION AWARDING AN EMERGENCY CONTRACT TO A.M.E., INC FOR THE FURNISHING AND INSTALLATION OF A CHILLER AT THE MUNICIPAL COMPLEX

WHEREAS, an emergency condition exists in which the existing absorption chiller which supplies approximately 70% of the Municipal Complex with air conditioning failed and needs to be replaced; and

WHEREAS, A.M.E., INC., 1275 Bloomfield Ave., Bldg.#2, Fairfield, NJ 07004, our current HVAC Maintenance and Repair contractor, quoted a price not to exceed \$248,000.00 for this replacement; and

WHEREAS, pursuant to Local Public Contract Law N.J.S.A. 40A:11-6 et seq, a contract may be awarded and immediate delivery of goods or the performance of services may be provided when an emergency affects the public health, safety or welfare; and

WHEREAS, funds in the amount of \$248,000.00 have been certified to be available in the Various Building Improvements Capital Account, Number C-04-14-1872-310-001; 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 \$248,000.00, and any other necessary documents, with A.M.E., INC., 1275 Bloomfield Ave., Bldg. #2, Fairfield, NJ 07004.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-6 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$248,000.00** are available for the above contract in Account No. **C-04-14-1872-310-001**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.292-042017

EXPLANATION: This Resolution awards a Professional Services Contract to Maser Consulting P.A. to provide general engineering services for a period of sixty (60) days to the Township of Edison.

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

WHEREAS, Maser Consulting P.A. (“**Company**”) is skilled at and experienced in performing municipal engineering services, and will serve as the interim Township Engineer for a period of sixty (60) days; and

WHEREAS, Company will also assist the Township in the search and evaluation of a long-term replacement for the resigning Township Engineer; and

WHEREAS, the Township is authorized pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* (“**Local Contracts Law**”) to contract for “professional services” as it may require; and

WHEREAS, the municipal council of the Township (“**Municipal Council**”) seeks to authorize the Company to provide interim municipal engineering services to the Township for a period of sixty (60) days, to assist the Township in the search and evaluation of a long-term replacement for the resigning Township Engineer, and any other services as may be reasonably required to effectuate same (the “**Services Contract**”) attached hereto as *Exhibit A*; and

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

WHEREAS, prior to the execution of the Services Contract, the Company will have completed and submitted a Business Entity Disclosure Certification to the Township, which certifies that no individual with a ten percent (10%) interest or larger in the Company has made any reportable contributions to a political or candidate committee in the Municipal Council in the previous year, and that the Services Contract will prohibit an individual with a ten percent (10%) interest or larger in the Company from making any reportable contributions through the term of the Services Contract, pursuant to *N.J.S.A. 19:44A-20.4, et seq.*; and

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

WHEREAS, compensation to the Company for interim engineering and related services shall be paid pursuant to the Services Contract, and not to exceed Thirty Thousand Dollars (\$30,000.00); and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length herein.
2. The Municipal Council hereby authorizes the Company to perform interim municipal engineering services to the Township for a period of sixty (60) days, to assist the Township in the search and evaluation of a long-term replacement for the resigning Township Engineer, and any other services as may be reasonably required to effectuate same pursuant to the Services Contract.
3. The Mayor and Township Clerk are hereby authorized to execute the Services Contract with the Company, consistent with the terms herein and in a form approved by the Township Attorney.
4. 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.
5. In accordance with *N.J.S.A. 40A:11-5* of the Local Contracts Law, the Municipal Council hereby directs the Township Clerk to publish once in the official newspaper of the Township, a brief notice, substantially in the form attached hereto as *Exhibit B*, stating the nature, duration, service and amount of the 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.
6. The Services Contract has been awarded as a non-fair and open contract pursuant to *N.J.S.A. 19:44A-20.5* without competitive bidding. Total compensation to be paid under the Services Contract will exceed \$17,500.
7. A copy of this Resolution, the Services Contract and the Company’s completed Business Entity Disclosure Certification shall be available for inspection in the office of the Township Clerk.
8. This Resolution shall take effect immediately.

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

NAYS - None

ORAL PETITIONS AND REMARKS

Council President Lombardi opened the meeting for public comment.

John Poyner, 40 Roosevelt Blvd., the Environmental Commission had about 40 volunteers on Earth Day it was very productive. The commission has a schedule of cleanups on their web site Edison Environmental.org.

Mr. Poyner asked what funds are appropriated for the Environmental Commission.

Ms. Ruane, she doesn't know off the top of her head, but she believes it is under \$2,000.00. We are in the process of preparing the budget now, so if more funds are needed please let her know.

-
Councilmember Gomez thanked the Department of Public Works on spring clean up in the rain.

Councilmember Coyle commended Mr. Poyner on his community organization skills.

Walter Stochel, 2118 Oak Tree Road, he thanked Mr. Kataryniak for his professionalism, good luck, job well done. On Oaktree and Maryland there are cars passing the bus on the opposite side.

Council President Lombardi, asked Deputy Chief Mieczkowski to have them send patrol out.

Mr. Northgrave, take down the license plate number.

Esther Nemitz asked if Mr. Kataryniak can look at the paving on Ireland.

Mr. Kataryniak will look into before he leaves.

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

Having no further business to discuss, on a motion made by Councilmember Gomez , seconded by Councilmember Sendelsky the meeting was adjourned at 7:43 p.m.

Michael R. Lombardi
Council President

Cheryl Russomanno, RMC
Municipal Clerk