

**AGENDA
MUNICIPAL COUNCIL
WORKSESSION MEETING
Monday, May 6, 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. **PRESENTATION TO COUNCIL:**
Dan Bernier, Director of Parks Planning and Environmental Services, Union County - Brief presentation on Deer population
5. **ORAL PETITIONS AND REMARKS**
6. **REPORTS FROM ALL COUNCIL COMMITTEES:**
7. **POINTS OF LIGHT**
8. **FROM THE BUSINESS ADMINISTRATOR:**
 - a. Resolution Awarding Contract/Purchase Order(s) to Lowes Home Centers, LLC for the furnishing of walk-in building supplies and related products for the Township of Edison.(not to exceed \$70,000.00)
 - b. Resolution authorizing the Township to enter into a Labor Agreement for the period January 1, 2018 through December 31, 2022 with U.A.W. Local 2326, AFL-CIO (Sewer Division, non-supervisors) pursuant to the attached Memorandum of Understanding.
 - c. Resolution authorizing the Township to enter into a Labor Agreement for the period January 1, 2019 through December 31, 2023 with the USW 1426 (Nurses) pursuant to the attached Memorandum of Understanding.
9. **FROM THE DEPARTMENT OF FINANCE:**
 - a. Report of Disbursements through May 2, 2019.
 - b. Resolution authorizing refund in the amount of \$44,535.49 for redemption of tax sale certificates.
 - c. Temporary Budget Appropriations
 - d. Resolution authorizing refund for tax overpayments totaling, \$6,374.25.

10. **FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:**
 - a. Resolution provides for refunds of construction permit fee.
 - b. Resolution for Performance Bond and Cash Bond Reduction.
 - c. Resolution provides for the refund of the unused portion of Developers Escrow Fees.

11. **FROM THE DEPARTMENT OF PUBLIC WORKS:**
 - a. Resolutions releasing of Street Opening Escrow.
 - b. Resolutions awarding of contact for Public Bid #19-12-06 – Fuel (Not to exceed \$1,200,000.00)

12. **FROM THE DEPARTMENT OF RECREATION:**
 - a. Award of contract with Kennedy Event Services for the 2019 Fourth of July Concert and 2019 Fall Family Festival.

13. **FROM THE CHIEF OF POLICE:**
 - a. Resolution Approving Participation in FY 2019 Federal Bulletproof Vest Partnership Grant.

14. **FROM THE TOWNSHIP CLERK:**
 - a. Resolution expressing opposition to the 180-mile oil pipeline between Albany, New York and Linden, New Jersey to be constructed by Pilgrim Pipeline Company.

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

16. **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

17. **ADJOURNMENT**

RESOLUTION R.

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

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

WHEREAS, LOWES HOME CENTERS LLC, 1605 Curtis Bridge Road, Mailcode A3ECS, Wilkesboro NC 28697, has been awarded NJ State Contract 18-Fleet-00235 under M-8001/Walk-In Building Supplies and Related Products; and

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

WHEREAS, the total amount of this contract, not to exceed \$70,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$70,000.00 and any other necessary documents, with LOWES HOME CENTERS LLC, 1605 Curtis Bridge Road, Mailcode A3ECS, Wilkesboro, NC 28697 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract 18-Fleet-00235 under M-8001.

RESOLUTION R.

EXPLANATION: A Resolution authorizing the Township to enter into a Labor Agreement for the period January 1, 2018 through December 31, 2022 with U.A.W. Local 2326, AFL-CIO (Sewer Division, non-supervisors) pursuant to the attached Memorandum of Understanding.

WHEREAS, the Township of Edison and U.A.W Local 2326, AFL-CIO are parties to a collective negotiations agreement covering the period January 1, 2011 through December 31, 2017, which has expired; and

WHEREAS, the Township and U.A.W Local 2326, AFL-CIO have engaged in good faith collective negotiations in an effort to reach an agreement or otherwise resolve terms and conditions for a new labor agreement; and

WHEREAS, the Township and U.A.W Local 2326, AFL-CIO have reached an understanding on terms and conditions for a new agreement subject to ratification by the Township and approval by the Governing Body; and

WHEREAS, the negotiating committees for the Township and U.A.W Local 2326, AFL-CIO unanimously agree to recommend this understanding and Collective Negotiations Agreement for ratification and approval.

NOW THEREFORE BE IT RESOLVED that the Council hereby accepts and ratifies the attached Memorandum of Understanding relative to U.A.W Local 2326, AFL-CIO for the period January 1, 2018 through December 31, 2022.

RESOLUTION R.

EXPLANATION: A Resolution authorizing the Township to enter into a Labor Agreement for the period January 1, 2019 through December 31, 2023 with the USW 1426 (Nurses) pursuant to the attached Memorandum of Understanding.

WHEREAS, the Township of Edison and USW Local 1426 (Nurses) are parties to a collective negotiations agreement covering the period January 1, 2015 to December 31, 2018, which has expired; and

WHEREAS, the Township and USW Local 1426 (Nurses) have engaged in good faith collective negotiations in an effort to reach agreement or otherwise resolve terms and conditions for a new labor agreement; and

WHEREAS, the Township and USW Local 1426 (Nurses) have reached an understanding on terms and conditions for a new agreement subject to ratification by USW Local 1426 (Nurses) and approval by the Governing Body; and

WHEREAS, the terms and conditions for a new agreement have been ratified by the membership of USW Local 1426 (Nurses).

NOW THEREFORE BE IT RESOLVED that the Council hereby accepts and ratifies the attached Memorandum of Understanding relative to USW Local 1426 (Nurses) for the period January 1, 2019 through December 31, 2023.

RESOLUTION R.

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING May 2, 2019.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through May 2, 2019.

FUND	AMOUNT
Current	\$13,672,729.78
Affordable Housing	1,197.00
Capital	313,810.87
Cash Performance	0.00
CDBG	1,175.00
Developers Escrow	48,118.53
Dog (Animal Control)	65.98
Federal Forfeited	3,466.00
Grant Funds	1,000.11
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Payroll Deduction	507,250.58
Sanitation Fund	82,297.23
Self-Insurance	0.00
Sewer Utility	40,030.50
Tax Sale Redemption	121,900.51
Tree Fund	0.00
Tree Planting	0.00
Trust	140,632.26
Edison Landfill Closure Trust	0.00
TOTAL	\$14,933,674.35

/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.

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 **\$44,535.49**.

RESOLUTION R.

WHEREAS, the Local Budget Law, specifically N.J.S.A. 40A:4-20, requires that the governing body of a municipality shall by Resolution make appropriations if any contract, commitments or payments are to be made between the beginning of the Calendar year and the adoption of budget; and

WHEREAS, the Local budget Law and the Optional Municipal Charter Act of 1950 provide for the adoption of municipal budget by April 30, 2019 unless said budget calendar is extended according to law; and

WHEREAS, the date of this Resolution is prior to the adoption of the 2019 Calendar Year Budget,

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

<u>CURRENT FUND</u>	<u>AMOUNT</u>
BUSINESS ADMINISTRATOR Salary	53,156.10
BUSINESS ADMINSTRATOR Other Expenses	7,178.75
PURCHASING Salary	10,609.59
PURCHASING Other Expenses	7,682.75
PURCHASING CENTRAL STORE Other Expenses	5,195.33
COMMUNICATIONS/EDISON TV Salary	7,242.19
COMMUNICATIONS/EDISON TV Other Expenses	4,616.67
PERSONNEL/HR Salary	13,612.05
PERSONNEL/HR Other Expenses	12,054.17
MAYOR Salary	3,727.16
MAYOR Other Expenses	200.00
COUNCIL Salary	6,708.41
COUNCIL Other Expenses	615.00
MUNICIPAL CLERK Salary	14,588.88
MUNICIPAL CLERK Other Expenses	10,675.00
ETHICS COMMISSION Other Expenses	833.33
FINANCE DEPARTMENT Salary	900.00

FINANCE DEPARTMENT Other Expenses	10,437.50
DISBURSEMENTS Salary	19,308.60
DISBURSEMENTS Other Expenses	400.33
PAYROLL Salary	5,017.91
PAYROLL Other Expenses	181.00
AUDIT SERVICES	6,007.33
DATA PROCESSING Other Expenses	0.00
TAX COLLECTION Salary	12,495.14
TAX COLLECTION Other Expenses	2,514.17
TAX ASSESSMENT Salary	16,969.43
TAX ASSESSMENT Other Expenses	13,916.67
LEGAL DEPARTMENT Salary	6,096.80
LEGAL DEPARTMENT Other Expenses	61,666.67
ENGINEERING SERVICES Salary	15,716.89
ENGINEERING SERVICES Other Expenses	23,890.08
PLANNING BOARD Other Expenses	1,933.33
ENVIRONMENTAL COMM Other Expenses	108.33
ZONING BOARD Other Expenses	2,183.33
PLANNING & ZONING DEPT Salary	20,139.10
PLANNING & ZONING Other Expenses	8,500.00
CONSTRUCTION ENFORC AGENCY Salary	89,763.79
CONST ENF AGENCY Other Expenses	27,775.00
RENT CONTROL BOARD Salary	1,547.45
RENT CONTROL BOARD Other Expenses	116.67
GROUP HEALTH INSURANCE	3,203,317.11
EMPLOYEE SALARY AND WAGES(WAIVERS)	54,803.50
UNEMPLOYMENT INSURANCE EXPENSE	16,666.67
INSURANCE & SURETY Expense	307,025.82
LOSAP-Other Expenses	8,333.33

POLICE DEPARTMENT Salary	1,901,157.65
POLICE DEPARTMENT Other Expenses	76,954.17
DISPATCH 911 Salary	190,283.97
DISPATCH 911 Other Expenses	41,458.33
OFFICE OF EMRGNCY MGMT Other Expenses	1,250.00
AID TO VOL FIRE	9,166.67
AID TO VOL FIRST AID	8,750.00
FIRE FIGHTING Salary	2,044,405.79
FIRE FIGHTING Other Expenses	76,737.50
FIRE PREVENTION Salary	38,095.08
FIRE PREVENTION Other Expenses	8,458.33
FIRE HYDRANT CHARGES	128,953.33
STREETS & ROADS Salary	160,664.73
STREETS & ROADS Other Expenses	27,066.67
SOLID WASTE RECYCLING Salary	123,641.44
SOLID WASTE RECYCLING Other Expenses	5,125.00
BUILDINGS & GROUNDS Salary	236,784.47
BUILDINGS & GROUNDS Other Expenses	19,333.33
MUNICIPAL GARAGE Salary	145,576.10
MUNICIPAL GARAGE Other Expenses	7,991.67
POLICE VEHICLES Salary	25,443.29
POLICE VEHICLES Other Expenses	19,237.50
CONDO COMMUNITY COSTS	13,333.33
HEALTH Salary	105,569.65
HEALTH Other Expenses	11,825.00
SENIOR CITIZEN Salary	28,428.63
SENIOR CITIZEN Other Expenses	3,312.50
RECREATION Salary	132,683.15

RECREATION Other Expenses	47,879.50
PARKS & TREES Salary	174,070.64
PARKS & TREES Other Expenses	6,483.33
FREE PUBLIC LIBRARY Salary	158,799.13
FREE PUBLIC LIBRARY Other Expenses	242,093.75
CELEBRATION OF PUBLIC EVENTS EXPENSES	5,083.33
PUBLIC BUILDINGS HEAT,LIGHT,POWER	78,822.42
STREET LIGHTING EXPENSE	91,666.67
PUBLIC BUILDINGS TELEPHONE	57,833.33
FUEL & LUBRICANTS Other Expenses	67,987.08
CONTINGENT Expense	4,166.67
O.A.S.I. (SOCIAL SECURITY) Expense	230,254.65
Defined Contribution Retirement Program Expenses	6,000.00
MUNICIPAL COURT Salary	46,314.12
MUNICIPAL COURT Other Expenses	4,422.50
PUBLIC DEFENDER Salary	2,916.67
PUBLIC DEFENDER Other Expenses	166.67
Middlesex County Recycling Enhancement Grant	<u>7,500.00</u>
TOTAL CURRENT FUND	<u><u>10,920,575.07</u></u>

SEWER UTILITY FUND

AMOUNT

SEWER Salary	117,920.87
SEWER Other Expenses	391,508.33
SEWER Sewerage Disposal Charges	1,200,000.00
SEWER Public Emp Retirement Sys (PERS)	
SEWER Social Security (OASI)	12,500.00
Sewer Unemployment Insurance	
TOTAL SEWER UTILITY FUND	<hr/> <hr/> 1,721,929.20

SANITATION FUND

AMOUNT

SANITATION Salary	306,807.62
SANITATION Other Expenses	223,062.36
SANITATION EMPLOYEE GROUP HEALTH INSURANCE	170,000.00
SANITATION Public Emp Retirement Sys (PERS)	
SANITATION Social Security (OASI)	16,666.67
SANITATION Disposal Fees	
TOTAL SANITATION FUND	<hr/> <hr/> 716,536.65

RESOLUTION R.

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 **\$6,374.25**.

RESOLUTION R.

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 (the second portion), Control # 140800, was posted in the total amount of \$9,230.82 by the contractor, HBNI Development LLC having offices at 22 Parker Rd. Edison, NJ 08820 via credit card ; 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 \$9,230.82, be refunded to the contractor HBNI Development LLC. Via credit chargeback; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Control #140800, in the amount of \$9,230.82 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$9,230.82 on construction permit fees posted by HBNI Development LLC. for 36 Meridian Rd. be refunded to the contractor via chargeback;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$9,230.82 from the Refund of Revenue Fund to the Contractor, HBNI Development offices at 22 Parker Rd. Edison, NJ 08820 via credit card chargeback.

RESOLUTION R.

Revere Blvd. and Denver Blvd. Markim Developers, LLC
Block 497, Lot 2.B, 3, 4A, 36-40 **Performance Bond Reduction & Cash Bond Reduction**

WHEREAS, Markim Developers, LLC posted a Performance Bond #43157 posted on April 30, 2018 of the Service Insurance Company, Inc., in the amount of \$248,672.81, posted by Markim Developers, LLC, having offices at 910 Amboy Ave Edison NJ 08837 to guarantee the installation of improvements for the project known as Revere Blvd. and Denver Blvd. located in Block #497 and Lot #2.B,3, 4.A,36-40 and designated Application #P5196, and

WHEREAS, a Cash Performance Bond was posted on May 23, 2018 by Check #7731 of Chase Bank, in the amount of \$27,630.31, on deposit in account CP180606MA; and

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that, based upon the improvements completed to date, a bond reduction is in order; and

WHEREAS, it is the recommendation of the Township Engineer that the Performance Bond be reduced by 75% from \$248,672.81 to \$ 62,168.21; and

WHEREAS, it is further the recommendation of the Township Engineer that the Cash Performance Bond, posted by Markim Developers, LLC, on May 23, 2018 be reduced by 75%, from \$27,630.31 to \$6,907.57, therefore refunding the amount of \$20,722.73; and

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Performance Bond hereinabove mentioned be reduced to \$ 62,168.21, by virtue of a substitute bond or endorsement to the Performance Bond presently in place, until such time as Final Acceptance is granted.

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the sum of \$20,722.73, plus accrued interest, on deposit in Account #CP180606MA to Markim Developers, LLC having offices at 910 Amboy Ave, Edison, N.J. 08837 with the sum of \$6,907.57 remaining on deposit until such time as Final Acceptance is granted.

RESOLUTION R.

Explanation: This resolution provides for the refund of the unused portion of Developers Escrow Fees posted by The Edison Jewish Community for the Planning Board Concept application.

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by The Edison Jewish Community for a project located at 91 Jefferson Blvd., Edison, N.J.in Block 155, Lot 1 and Concept Application ; and

WHEREAS; the applicant was required to Post developers escrow fees, pursuant to Township Ordinance; and

WHEREAS; on February 16, 2010, the Edison Jewish Community posted fees on deposit with the Township of Edison in the account # 7760296056 for Developers Escrow Fees; and

WHEREAS; the applicant has requested the return of the unused portion of Developers Escrow Fees, as provided by law; and

WHEREAS; it is now in order that the sum \$ 232.50 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to the Edison Jewish Community and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$232.50 plus accrued interest, if applicable be refunded to the Edison Jewish Community, 91 Jefferson Blvd., N.J 08817

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 232.50, plus accrued interest, if applicable, in account #7760296056 to the applicant.

RESOLUTION R.

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000350, to the following:

Permit Number: DEV-0093

Opening Location: 7 TERRY AVE

Block/Lot: 643.A/43

Applicant's Name & Address:

**HABIB HASSAN
23 HESTON AVE
SOUTH AMBOY NJ 08879**

Initial Deposit Date: 04/22/2019

Deposit Amount: \$2000.00

Paid by & refunded to:

**HABIB HASSAN
23 HESTON AVE
SOUTH AMBOY NJ 08879**

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

RESOLUTION R.

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000335, to the following:

Permit Number: DEV-0079

Opening Location: 9 WALNUT STREET

Block/Lot: 104.M/26

Applicant's Name & Address:

**GOLD MEDAL SERVICES
11 COTTERS LN
EAST BRUNSWICK. NJ 08816**

Initial Deposit Date: 2/26/2019

Deposit Amount: \$1200.00

Paid by & refunded to:

**GOLD MEDAL SERVICES
11 COTTERS LN
EAST BRUNSWICK. NJ 08816**

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

RESOLUTION R.

RESOLUTION TO RELEASE STREET OPENING ESCROW

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

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

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, that the Finance Department is hereby authorized to release Street Opening Escrow Funds, under reference number STO0000342, to the following:

Permit Number: DEV-0084

Opening Location: 45 DALTON PL

Block/Lot: 816/29

Applicant's Name & Address:

**GUY TORO
45 DALTON PL
EDISON, NJ 08817**

Initial Deposit Date: 3/25/2019

Deposit Amount: \$1024.00

Paid by & refunded to:

**GUY TORO
45 DALTON PL
EDISON, NJ 08817**

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

RESOLUTION R.

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO JOHN DUFFY FUEL CO., D/B/A JOHN DUFFY ENERGY SERVICES FOR FUEL

WHEREAS, bids were received by the Township of Edison on March 14, 2019 for Public Bid No. 19-12-06, Fuel; and

WHEREAS, JOHN DUFFY FUEL CO., D/B/A JOHN DUFFY ENERGY SERVICES, 465 Mulberry St., Newark, NJ 07114, submitted the lowest legally responsible, responsive bid for Gasoline - Unleaded, Regular 87 Octane and the Emergency Allocation; 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 \$600,000.00, 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:

3. All bids have been reviewed, and the bid submitted by JOHN DUFFY FUEL CO., D/B/A JOHN DUFFY ENERGY SERVICES, 465 Mulberry St., Newark, NJ 07114 for Fuel, is determined to be the lowest legally responsible, responsive bid for Gasoline - Unleaded, Regular 87 Octane and the Emergency Allocation.
4. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$600,000.00, 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 JOHN DUFFY FUEL CO., D/B/A JOHN DUFFY ENERGY SERVICES as described herein.
5. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

RESOLUTION R.

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO RIGGINS, INC. FOR FUEL

WHEREAS, bids were received by the Township of Edison on March 14, 2019 for Public Bid No. 19-12-06, Fuel; and

WHEREAS, RIGGINS, INC., 3938 S. Main Rd., Vineland, NJ 08360, submitted the lowest legally responsible, responsive bid for Ultra Low Sulfur Diesel Fuel, Ultra Low Sulfur Diesel Fuel Premium/WinterBlend Mix and the emergency allocation; 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 \$600,000.00, 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 RIGGINS, INC., 3938 S. Main Rd., Vineland, NJ 08360 for Fuel, is determined to be the lowest legally responsible, responsive bid for Ultra Low Sulfur Diesel Fuel, the Ultra Low Sulfur Diesel Fuel Premium/WinterBlend Mix and the emergency allocation.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$600,000.00, 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 RIGGINS, INC. as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and/or bonds of the unsuccessful bidders.

RESOLUTION R.

RESOLUTION AWARDING CONTRACT TO KENNEDY EVENT SERVICES INC. FOR THE TOWNSHIP OF EDISON'S 2019 FOURTH OF JULY CONCERT AND 2019 FALL SPECTACULAR EVENTS

WHEREAS, the Township of Edison advertised on the Township website a request for proposals on April 3, 2019 for RFP 19-02-EVENT SERVICES with a proposal opening date of April 16, 2019 and two (2) proposals were received; and

WHEREAS, after review and evaluation of the proposals, it has been recommended by the Township that the contract be awarded to KENNEDY EVENT SERVICES INC., 24 Cokesbury Road, Suite 12, Lebanon, NJ 08833 in the amount not to exceed \$20,522.33; and

WHEREAS, this Contract was awarded through a "fair and open process" pursuant to *N.J.S.A. 19:44A-20.5, et seq.*; and

WHEREAS, funds in the amount of \$20,522.33 have been certified to be available in the Celebration of Public Events Expense account, number 9-01-30-0420-000-020 subject to and contingent upon the availability of sufficient funds in the 2019 temporary and/or permanent budget; 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. The proposals have been reviewed, and the proposal submitted by KENNEDY EVENT SERVICES INC., 24 Cokesbury Road, Suite 12, Lebanon, NJ 08833 for the Township of Edison's 2019 Fourth of July Concert and 2019 Fall Spectacular Events is determined to be the lowest, legally responsible, responsive proposal as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,522.33, and any other necessary documents, with KENNEDY EVENT SERVICES INC. as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$20,522.33** are available for the above in account number **9-01-30-0420-000-020** subject to and contingent upon the availability of sufficient funds in the 2019 temporary and/or permanent budget.

RESOLUTION R.

Explanation: Federal Bulletproof Vest Partnership (BVP) through the Office of Justice Programs- Bureau of Justice Assistance to allocate funds to local and state law enforcement agencies for the purchase of body vests as part of a matching funds grant not to exceed \$15,000.00.

RESOLUTION APPROVING PARTICIPATION IN FY 2019
FEDERAL BULLETPROOF VEST PARTNERSHIP

WHEREAS, the Federal Bulletproof Vest Partnership is designed to provide matching funds to purchase valuable lifesaving equipment to local law enforcement officers; and

WHEREAS, this grant funding enables local law enforcement agencies to cover up to fifty (50) percent of the cost of each vest purchased or replaced for sworn officers and volunteer officers of the Edison Police Department; and

WHEREAS, this vest replacement grant program demonstrates the Edison Police Department's commitment to helping ensure that law enforcement officers have protective equipment they can rely on to keep our community safe;

THEREFORE, BE IT RESOLVED that the Township of Edison wishes to participate to in the Federal Bulletproof Vest Partnership through the Office of Justice Programs-Bureau of Justice Assistance in a matching funds grant not to exceed \$15,000.00.

RESOLUTION R.

EXPLANATION: A Resolution expressing opposition to the 180-mile oil pipeline between Albany, New York and Linden, New Jersey to be constructed by Pilgrim Pipeline Company.

WHEREAS, the Municipal Council (“Municipal Council”) of the Township of Edison (“Township”) maintains an interest in the health and well-being of Township residents; and

WHEREAS, Municipal Council is aware that Pilgrim Pipeline Holdings, LLC (“Pilgrim”) is currently developing plans to build a new bi-directional pipeline that would transport crude oil and refined petroleum products between Albany, New York and Linden, New Jersey (“Pipeline”); and

WHEREAS, the construction of the Pipeline raises significant safety concerns for the Township and neighboring municipalities, including potential harm to municipal and county infrastructure and likely negative impact upon future development in the local communities; and

WHEREAS, the Municipal Council is concerned about the hazard the Pipeline may create due to the nature and volume of the highly flammable oil flowing through the Pipeline, and its probable route, which crosses through residential neighborhoods; and

WHEREAS, Municipal Council is additionally concerned about the hazard the Pipeline poses to environmentally sensitive areas and groundwater resources along its route; and

WHEREAS, Municipal Council opposes Pilgrim’s construction of the Pipeline due the potential impact it poses to the environment and health and safety of Township residents and neighboring communities.

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 expresses its opposition to construction of the Pipeline. The Municipal Council encourages the governing bodies of neighboring municipalities to adopt similar resolution(s) in opposition.

Section 3. The Township Clerk is instructed to send certified copies of this Resolution to the municipalities adjoining the Township.

Section 4. This Resolution shall take effect immediately.