

**MINUTES OF
MUNICIPAL COUNCIL
WORKSESSION AND REGULAR MEETING
September 26, 2018**

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 Patil followed by the Pledge of Allegiance.

Present were Councilmembers Coyle, Gomez, Joshi, Lombardi, Patil, and Sendelsky.

Councilmember Diehl entered at 6:14pm.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane, Health Director Elliott, Township Engineer O'Brien, Public Works Director Russomanno, Police Captain Filaninno, 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 9, 2017 and posted in the Main Lobby of the Municipal Complex on the same date.

4. ADMINISTRATIVE AGENDA:

FROM MAYOR THOMAS LANKEY:

a. and b. No comments were made.

5. REPORTS FROM ALL COUNCIL COMMITTEES:

Councilmember Joshi, in reviewing the Library Budget Audit he found issues that need to be addressed clearly their finances lack structure. Hopefully with the new Library Director she will bring different goals and modernize the library. He noted there was an increase in the legal bills which he raised a concern about, for example previously monthly charges were \$800.00 and now it's about \$3,400 per month. The attorney also asked him to fill out an OPRA request to obtain the information.

Mr. Northgrave said you are a Township Official therefore no need to file an OPRA.

Councilmember Gomez, good work on making sure they are not over billed.

Councilmember Diehl, Education Committee was moved to October 18th.

6. POINTS OF LIGHT

Council President Patil all township departments that participated in the Fall Family Spectacular did a great job, weather was really nice and some amazing food. He announced the following upcoming, Saturday, September 29, 2018, Electronic Recycling Program at Lake Papaiani from 8:00am – 2:00pm, and every Saturday residential Cooking Oil Recycling program 8:00am 12:00pm at East Brunswick Reclamation Center at 357 Dunhams Corner Road, Monroe DPW – 76 Gravel Hill at Spotswood Road, Old Bridge DPW at 1 Old Bridge Plaza (Municipal Complex) South Plainfield Recycling Center at Kenneth Avenue and Woodbridge Public Works at 225 Smith Street, Keasbey (under GS parkway & Rt. 9 Bridge). Our annual free Rabie Clinic will be on Saturday, October 6, 2018 from 10:00am to 12:00pm, Edison Municipal Complex.

Council Vice President Sendelsky, Mayor Lankey and the Edison Art Society in collaboration with the NJ Institute for Disabilities, Triple C Housing, Middlesex County ARC and Edison Township Public Schools presents "Our Perspective Art Exhibit" on Wednesday, October 10, 2018 at 6:30pm on the 3rd floor. At the Fall Family Shannon Retkwa from the Edison High School Choir sang the Star Spangle Banner beautifully. We had a tour inside of Amazon Distribution Center and a new business on Old Post Road Grand Opening of a new Liquor Store. Also on October 21, 2018 we honored our POW/MIA.

Councilmember Lombardi, a new Massage Parlor Grand Opening in Tano Mall on Saturday. Myself, Council President Patil and Council Vice President Sendelsky all attended the Annual Ceremony honoring the passing of Frank Papaiani with the family and other fellow Police Officers, we will never forget to honor him each year on that day.

Councilmember Diehl, thanked members of the Open Space Committee for their efforts and time on Fall Family on getting the word out for the ballot question to support the Open Space tax. That committee has worked tirelessly for twenty years identifying parcels of land and the best way to preserve it. Great Job!

7. FROM THE BUSINESS ADMINISTRATOR:

a. through c. No comments were made.

8. FROM THE DEPARTMENT OF FINANCE:

a. though d. No comments were made.

9. FROM THE DEPARTMENT OF LAW:

a. through d. No comments were made.

e. Councilmember Coyle would like this Resolution R.552-092018 tabled he does not agree with the amount of units. He asked if we amend to remove the amount of units.

Council President Patil, asked when we approved in 2016 it was for area in need of redevelopment.

Mr. Northgrave said you passed the ordinance in 2016 approving the redevelopment plan. This agreement is consistent with the plan you adopted.

Councilmember Coyle, doesn't understand.

Mr. Northgrave explained the redevelopment law process.

Councilmember Diehl shares concern with parking and units, however it has to go to the planning board.

f. Councilmember Gomez he would like to see this tabled until the attorney has completed his analysis on this ordinance.

Council President Patil asked which line item do you have questions.

Councilmember Gomez, freedom of speech, we are going into uncharted territory without have comparison through the state. Constitutionally, I didn't get an answer.

Council President Patil, this is amending the current ordinance to include planners, vendors, employees. He is surprised no other councilmember had questions.

Councilmember Lombardi, he provided Mr. Northgrave today with a copy of a Supreme Court decision unconstitutional. He also would like it tabled until Mr. Northgrave can review and report back to us.

Councilmember Coyle asked for explanation of the current one and changes.

Councilmember Diehl, he's uncomfortable tonight and doesn't see the urgency. It needs careful consideration.

Councilmember Lombardi, last time the public had input, respectfully maybe a committee should have been formed.

Council President Patil, the last time the committee was formed because it was a new ordinance this is amending present one.

Mr. Northgrave will review and prepare a report for council.

A Motion to remove O.2020-2018 from the Agenda tonight made by Council Vice President Sendelsky, seconded by Councilmember Gomez.

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

NAYS – Councilmember Coyle

10. FROM THE DEPARTMENT OF PLANNING AND ENGINEERING:

a. through h. No comments were made.

j. Council President Patil what is the reason for this change order.

Mr. O'Brien explained three items necessary now which were discovered when roof work was being done.

Council Vice President Sendelsky, this work was not in the original specs.

Mr. O'Brien, that's correct.

11. FROM THE PUBLIC WORKS:

a. and b. No comments were made.

b. Council Vice President Sendelsky, asked how many does this bring us to.

Mr. Russomanno, twenty five this will replace three.

c. through g. No comments were made.

12. FROM THE DEPARTMENT OF RECREATION:

a. through c No comments were made

13. FROM THE TOWNSHIP CLERK:

a. Council Vice President Sendelsky, isn't this an administrative function.

Mr. Northgrave explained you can do what you want, it's a directive it's not appropriate if adopted there's no value under Falkner. What is legal, no vote to introduce.

Councilmember Coyle, simply we are not interfering with employees just amending existing code to assess parks. We can amend the code to assess for safety hazards.

Council Vice President, asked if there is a system in place, and plans for park improvements.

Mr. Russomanno, we have accountability forms and this Council voted on the grant with the county for park improvements.

Councilmember Coyle explained this ordinance amends safe place. There is not a criteria in the code that specifically states what to do it's important for our resident to be protected.

Councilmember Joshi, you are trying to say Public Works Director to do his job. I recommend to table this ordinance and at budget time is when we should look at materials to help our Public Works Director and department.

Councilmember Diehl get together to assess and find the money. He's not in favor of this ordinance.

Councilmember Lombardi, there is a Public Works and Park Committee. In reading this ordinance legal stand point under Title 59 an added liability, he will not support.

Councilmember Gomez, let's think long term for residents planning and work together, hopefully this grant will take care of some of the parks.

Ordinance O.2026-2018 is being pulled off agenda.

14. FROM THE CHIEF OF FIRE:

a. through c. No comments were made

15. FROM THE CHIEF OF POLICE:

a. No comment was made.

16. FROM THE COUNCIL MEMBER OF THE PLANNING BOARD:

Councilmember Coyle, there were 2 applications one to expand a warehouse and the other was to knock down one home and build two. The warehouse was approved the other was held over .

17. UNFINISHED BUSINESS:

ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING:

O.2023-2018 No comments were made.

O.2024-2018 No comments were made.

18. COMMUNICATIONS:

a. and b. Were accepted

19. DISCUSSION ITEMS:

Council President Patil:

a. He asked for an update on the Oaktree and Woodland.

Mr. O'Brien said it should be the 1st week of November

- b. He asked about Plainfield and New Brunswick.

Mr. O'Brien, that's a county project

Councilmember Coyle:

- a. He thanked Ms. Ruane for meeting with him regarding the Parks. He asked if he could have a meeting with Director and Supervisor on the Parks.

Ms. Ruane, it its past 4:00pm it will be overtime, she can direct.

Mr. Russomanno, employees are intimidated some of which went to personnel. Please refrain from speaking to employees.

He asked who can be included in the meetings.

Ms. Ruane, Directors.

He asked how much of the work is completed from his presentation.

Mr. Russomanno, approximately seventy five percent is done. We will be fixing some park equipment with the grant. There are also ADA compliance changes they are working on. He did not receive a copy of the presentation.

He gave the administration two color copies.

Council President Patil asked Councilmember Coyle to send to all councilmembers.

- b. He will be working on a \$15.00 minimum wage ordinance.

Ms. Ruane, part time people are under \$15.00 per hour.

He would like a list of all employees and their pay.

- c. Liddle Avenue., what's the process for contacting the land owners and is there grant money?

Mr. O'Brien, won't qualify for grant funding .

Councilmember Diehl:

- a. Saturday, from 8:00am – 2:00pm is our Electronic Recycling Program at Lake Papaiani
- b. Racist Flyer, he interviewed by channel 12. He asked if the Attorney General confirmed or denied – people have made comments and information we turned over evidence. What are our options as a council? He asked about a Committee of the Whole to do our own investigation.

Mr. Northgrave explained the Committee of the Whole is not over citizens you cannot send a subpoena, you could a township employee. He will contact the Attorney General Office indicating your frustrations.

It's been a year what is the progress no one is following up.

Councilmember Joshi, he was sent factual evidence there seems to be a disconnect between our police and the Attorney General Office. He feels it's a political scandal.

Councilmember Gomez:

- a. None

Councilmember Joshi:

- a. He suggest we meet to go over equipment and personal, understand the operations.

Mr. Russomanno asked for a list of things.

- b. How many union contracts are outstanding?

Ms. Ruane, six except Fire Uniform.

He asked for a time line for contracts.

Mr. Ruane, we are in negotiations now.

Councilmember Lombardi

1. None

Councilmember Sendelsky:

a. He asked for an update on Old Post Road light and our Road repaving.

Mr. O'Brien, he will have a list of this Friday however we are right on target.

b. He asked if we are working on the next year list.

Ms. Ruane, we will start meeting as soon as we can.

COUNCIL PRESIDENT'S REMARKS:

Council President didn't have any additional, all said in Point of Light.

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

The following Ordinances, which were introduced by Title on September 12, 2018 passed on first reading, published according to law for further consideration at this meeting, were read by the Township Clerk:

**O.2023-2018 AN ORDINANCE AMENDING THE TOWNSHIP CODE TO
INCORPORATE REVISIONS TO THE TOWNSHIP'S AFFORDABLE
HOUSING ORDINANCE REGARDING INCLUSIONARY ZONING
AND AFFORDABLE HOUSING SET ASIDE REQUIREMENTS**

(The above Ordinance O.2023-2018 can be found in its entirety in Ordinance Book #27.)

Council President Patil declared the Public Hearing opened for O.2023-2018.

Esther Nemitz, 162B Fay Street, why are we doing this?

Mr. Northgrave explained there is one word that had to be changed.

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

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

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

NAYS - None

The following Ordinances, which were introduced by Title on September 12, 2018 passed on first reading, published according to law for further consideration at this meeting, were read by the Township Clerk:

**O.2024-2018 AN ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 15-3
"ABANDONED AND VACANT PROPERTIES, REGISTRATION AND
MAINTENANCE," TO INCORPORATE CERTAIN REVISIONS TO
THE REGULATION OF ABANDONED PROPERTIES WITHIN THE
TOWNSHIP.**

(The above Ordinance O. 2024-2018 can be found in its entirety in Ordinance Book #27.)

Council President Patil declared the Public Hearing opened for O.2024-2018.

Lois Wolke, 10 Peake Road, thank you for this ordinance so desperately needed, need to be enforced.

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

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

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

NAYS - None

NEW BUSINESS
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR WEDNESDAY, OCTOBER 10, 2018

**O.2022-2018 ORDINANCE AUTHORIZES THE MAYOR, OR HIS AUTHORIZED
DESIGNEE, TO EXECUTE THE LEASE AGREEMENT BETWEEN
THE TOWNSHIP AND EDISON SHELTERED WORKSHOP, INC.,
ALLOWING FOR THE ORGANIZATION’S USE OF THE LEASED
PROPERTY**

On a motion made by Councilmember Sendelsky seconded by Councilmember Gomez 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 October 10, 2018.

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

NAYS – None

**O.2025-2018 AN ORDINANCE AMENDING THE TOWNSHIP CODE CHAPTER 22
“ENVIRONMENTAL REGULATIONS,” TO INCORPORATE
REGULATIONS RELATED TO LOCAL WATERWAYS.**

On a motion made by Councilmember Lombardi seconded by Councilmember Diehl 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 October 10, 2018.

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

NAYS – None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Patil opened the meeting to the public for comments on Proposed Resolutions R.506-092018 through R.553-092018

Bruce Diamond, 74 Calvert Avenue, Resolution R,511-092018, is this an apartment or single family. Resolution R.551-092018 to save the pond, if you vote yes on the Open Space question can continue to save open space.

Mr. O’Brien, this is through our Community Development Block Grant Program.

Esther Nemitz, 162B Fay Street, Resolution R.552-092018, in her forty five years she has never seen a resolution to tell planning board what to do. The first plan was for only three stories. She agrees with Councilmember Coyle the parking is major issue. It’s not safe and it doesn’t benefit Clara Barton Residents. She feels this location should be a flat parking lot.

Karen Halo, Resolution R.522-092018, her concern is the shift to the planning board why to send over. One concern she has is the amount of children in the two bedroom apartment. She recently visited a friend in the new Metuchen Apartments with 15 foot ceilings and they put three beds for children in two bedroom units. Again the quality of life and overcrowding becomes an issue along with if it’s a teenage no room for cars.

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.

Councilmember Lombardi requested that Resolution R.536-092018 and R.551-092018 be pulled for separate vote.

Councilmember Coyle requested that Resolution R.552-092018 be pulled for separate vote.

The following Resolutions R.506-092018 through R.535-092018 and R.537-092018 through R.550-092018 and R.553-092018 were adopted under the Consent Agenda on a motion made by Councilmember Sendelsky and seconded by Councilmember Gomez.

RESOLUTION R.506-092018

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING SEPTEMBER 20, 2018

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through September 20, 2018

FUND	AMOUNT
Current	\$14,311,887.38
Affordable Housing	2,977.17
Capital	808,578.01
Cash Performance	22,249.74
CDBG	0.00
Developers Escrow	36,137.00
Dog (Animal Control)	4,203.50
Federal Forfeited	0.00
Grant Funds	8,254.19
Law Enforcement	0.00
Open Space	0.00
Park Improvements	600.00
Payroll Deduction	531,582.41
Sanitation Fund	96,993.37
Self Insurance	0.00
Sewer Utility	164,628.34
Tax Sale Redemption	236,766.07
Tree Fund	0.00
Tree Planting	9,748.14
Trust	146,530.23
TOTAL	\$16,381,135.75

/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.507-092018

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 **\$291,967.52**.

RESOLUTION R.508-092018

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 **\$10,272.90**.

RESOLUTION R.509-092018

EXPLANATION: This Resolution Grants The Township Council’s Advice And Consent To The Re-Appointment of Gary Price, Esq, as Municipal Judge for the Township of Edison.

BE IT RESOLVED that the Township Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby grant it’s advice and consent to the re-appointment of Gary Price, Esq. as Municipal Judge for a three (3) year term expiring August 13, 2021.

RESOLUTION R.510-092018

EXPLANATION: This Resolution Grants The Township Council’s Advice And Consent To The Re-Appointment of Parag P. Patel, Esq, As Municipal Judge for the Township of Edison.

BE IT RESOLVED that the Township Council of the Township of Edison, County of Middlesex, State of New Jersey, does hereby grant it’s advice and consent to the re-appointment of Parag P. Patel, Esq. as Municipal Judge for a three (3) year term expiring August 13, 2021.

RESOLUTION R.511-092018

Explanation: A Resolution authorizing the grant of certain funds from the Township’s Affordable Housing Emergency Repairs Program to Delta Community Supports, Inc. for rehab of water damaged bathroom and ADA improvements, as well as vinyl replacement of flooring at 22 Riverview Road in the amount of \$23,500.00.

WHEREAS, by Resolution the Township Council approved, authorized and established an Emergency Repairs Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner or rental property, sponsors of permanent supportive housing, shared living arrangements (group homes) and certain public housing units in the Township of Edison, to make eligible repairs/replacements to systems or items, that if neglected, pose threats to the health and/or safety of the current of prospective tenants, and committed \$500,000 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 Emergency Repairs Program in accordance with COAH's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a grant for such repairs under the Program; and

WHEREAS, an application to participate in the Program was submitted by Delta Community Supports, was reviewed and deemed complete and in compliance with the Program requirements; and

WHEREAS, the Township Council desires to award a grant to Delta Community Supports in the amount of \$23,500.00 for the purposes set forth herein under the Township's Emergency Repair Program to include the rehab of the bathroom to meet ADA compliance and the replacement of flooring at the group home located at 22 Riverview Road, and to authorize the execution of an Agreement between the Township and Delta Community Supports, Inc., 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 grant in the amount of \$23,500 from the Township's Affordable Housing Trust Fund with respect to the Township's Emergency Repairs Program, to Delta Community Supports, Inc., 1130 Rt. 202 South Building C, Raritan, NJ 08869, for the purposes set forth herein and authorizes the execution of an Agreement with Delta Community Supports, Inc. with respect to such grant.
2. An original copy of the resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.512-092018

Explanation: A Resolution authorizing the grant of certain funds from the Township's Affordable Housing Emergency Repairs Program to Mission First Housing Group, Inc. for the repair of the ceiling in community room at Amandla's Crossing in the amount of \$13,000.

WHEREAS, by Resolution the Township Council approved, authorized and established an Emergency Repairs Program pursuant to N.J.A.C. 5:97-8.8(a), to assist eligible owner or rental property, sponsors of permanent supportive housing, shared living arrangements (group homes) and certain public housing units in the Township of Edison, to make eligible repairs/replacements to systems or items, that if neglected, pose threats to the health and/or safety of the current or prospective tenants, and committed \$500,000 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 Emergency Repairs Program in accordance with COAH's directives, which set forth the application process for applicants to comply with in order to participate in the Program and receive a grant for such repairs under the Program; and

WHEREAS, an application to participate in the Program was submitted by Mission First Housing Group, Inc., was reviewed and deemed complete and in compliance with the Program requirements; and

WHEREAS, the Township Council desires to award a grant to Mission First Housing Group, Inc. for repairs to the community room ceiling at Amandla's Crossing in the amount of \$13,000 for the purposes set forth herein under the Township's Emergency Generator Program and to authorize the execution of an Agreement between the Township and Mission First Housing Group, Inc., with respect to such grant.

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

3. The Township Council hereby approves and authorizes a grant in the amount of \$13,000.00 from the Township's Affordable Housing Trust Fund with respect to the Township's Emergency Repairs Program, to Mission First Housing Group, Inc. 100 Mitch Snyder Drive, Edison, NJ 08817, for the purposes set forth herein and authorizes the execution of an Agreement with Mission First Housing Group, Inc., with respect to such grant.
4. An original copy of the resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.513-092018

**EXPLANATION: Resolution Releasing of Cash Maintenance Bond on Site Improvements, under application #P-2013 for OTR Associates ,1655-1665 Oak Tree Road, Edison, NJ .08820
Block: 643.DD Lots: 36**

WHEREAS, The Township Engineer advises that an inspection has been made of OTR Associates/ Omni Services , 1655-1665 Oak Tree Road , Edison, NJ in Block: 643.DD and Lot: 36 Application # P9-2013 , and said

inspection indicates all improvements are complete and in accordance with the Municipal Standards of the Township of Edison; and

WHEREAS, on February 18, 2016 OTR Associates posted a Cash Maintenance Bond check # 013132 in the amount of \$ 5,604.05 of with the Township of Edison, to guarantee the integrity of the site improvements with the Township of Edison. The maintenance period has elapsed with no defects developing; and

WHEREAS, the Township Engineer, recommends the release of the Cash Maintenance Bond check # 013132 in the amount of \$ 5,604.05. plus any accrued interest and the principal being having offices at 1655-1665 Oak Tree Road , Edison, N.J. 08820 and acceptance of the subject improvements; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of Finance be and is hereby authorized to return the aforesaid Cash Maintenance Bond in the amount of \$5,604.05 and any accrued to the applicant account #7763342638

RESOLUTION R.514-092018

WHEREAS, the Division of Engineering Services advises that an inspection has been made of Omni Services – OTR Associates , at 1655-1665 Oak Tree Road Application # P9-2013 located in Block #643.DD Lot 36; and

WHEREAS, the applicant was required to post engineering inspection fees, pursuant to Township Ordinance; and

WHEREAS, Omni Services, posted a check in the amount of \$1,868.02, for engineering fees; and

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

WHEREAS, the sum expended for engineering inspections totals \$ 1,060.42; and

WHEREAS, it is in now in order that the sum of \$807.60 which represents the amount due and owing the applicant, be returned to OTR Associates /OTR Day Care ; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$ 807.60 plus interest be refunded to OTR Associates , having offices at 4 Cornwall Drive ,Suite 222, East Brunswick, NJ, 08816 ; and

BE IT FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund said sum of \$807.60 plus interest in account # 7763329131 to the applicant.

RESOLUTION R.515-092018

EXPLANATION: This resolution provides refund of the construction permit fee, less the DCA fee, posted for a residential construction permit. The work was never performed.

WHEREAS, on January 2, 2018 , a Construction Permit fee, check #2014628, permit #2018-0016, was posted in the total amount of \$377.00 by the contractor, SunRun, having offices at 26 Worlds Fair Dr., Somerset, NJ 08873 ; and

WHEREAS, the application was submitted for a Solar Installation at 19 Richmond Rd. Edison, NJ 08817, by the hired contractor; SunRun

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$280.00, derived from the \$377.00 total construction permit fee less the \$27.00 DCA fee, and less the 20% plan review fee of \$70.00 be refunded to the contractor SunRun.; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2018-0016, in the amount of \$280.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$280.00 on construction permit fees posted by SunRun for 19 Richmond Rd. be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$280.00 from the Refund of Revenue Fund to the Contractor, SunRun, 26 Worlds Fair Dr., Somerset, NJ 08873.

RESOLUTION R.516-092018

EXPLANATION: This resolution provides refund of the construction permit fee, less the DCA fee, posted for a residential construction permit. The work was never performed.

WHEREAS, on December 4, 2017 , a Construction Permit fee, check #2014533, permit #2017-5280, was posted in the total amount of \$496.00 by the contractor, SunRun, having offices at 26 Worlds Fair Dr., Somerset, NJ 08873 ; and

WHEREAS, the application was submitted for a Solar Installation at 27 Ovington Ave. Edison, NJ 08817, by the hired contractor; SunRun

WHEREAS, appropriate documents have been submitted to the Township indicating that the contract was cancelled therefore appropriate that the municipal permit fee in the amount of \$380.00, derived from the \$496.00 total construction permit fee less the \$21.00 DCA fee, and less the 20% plan review fee of \$95.00 be refunded to the contractor SunRun.; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2017-5280, in the amount of \$380.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$380.00 on construction permit fees posted by SunRun for 27 Ovington Ave. be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$380.00 from the Refund of Revenue Fund to the Contractor, SunRun, 26 Worlds Fair Dr., Somerset, NJ 08873.

RESOLUTION R.517-092018

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

WHEREAS, on May 29,2018 , a Construction Permit fee, check #373, permit #2018-2117, was posted in the total amount of \$336.00 by the contractor, D & M Air Conditioning & Heating, having offices at 2313 Elizabeth Ave., Scotch Plains, NJ- 07076 ; and

WHEREAS, the application was submitted for a A/C and Furnace at 164 Mundy Ave. by the hired contractor; D & M Air Conditioning & Heating, who did not make known to the Construction Code Enforcement Division that the homeowner, Ibrahim Nasser, is a bonafide Edison Senior Resident who is eligible for Senior Citizen waiver of municipal fees on construction permits, per the Edison Municipal Code, chapter 2-128.3; and

WHEREAS, appropriate documents have been submitted to the Township indicating that the work was done for a bonafide senior resident it is therefore appropriate that the municipal permit fee in the amount of \$320.00, derived from the \$336.00 total construction permit fee less the \$16.00 DCA fee, be refunded to the contractor D & M Air Conditioning & Heating; and

WHEREAS, the Township Construction Official recommends the refund of the municipal permit fee, on Construction Permit #2018-2117, in the amount of \$320.00 for the referenced application;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Edison that the sum not to exceed \$320.00 on construction permit fees posted by D & M Air Conditioning & Heating for 164 Mundy Ave. be refunded to the contractor;

BE IT FURTHER RESOLVED, that the Director of Finance be and is hereby authorized to refund the said amount of \$320.00 from the Refund of Revenue Fund to the Contractor, D & M Air Conditioning & Heating, having offices at 2313 Elizabeth Ave., Scotch Plains, NJ- 07076

RESOLUTION R.518-092018

RESOLUTION AUTHORIZING CHANGE ORDER # 1 FOR CONTRACT NO. 17-03-11 WITH SAFEWAY CONTRACTING, INC. FOR ROOF REPLACEMENT AT THE EDISON TOWNSHIP MAIN LIBRARY

WHEREAS, Resolution R.068-022018 dated February 15, 2018 authorized a contract with Safeway Contracting Inc., 136 Market Street, Kenilworth, NJ 07033 for Roof Replacement at the Edison Main Library; and

WHEREAS, Change order No 1 is needed to address unforeseen conditions that are found to be necessary that was not initially anticipated at the time of contract award in the amount of \$13,600.00; and

WHEREAS, the changes will not alter the contract in such a manner as to nullify the effect of the competitive determination of lowest responsible bidder which was made at the time of the contract award; and

WHEREAS, funds in the amount of \$13,600.00 have been certified to be available in the Various Building Improvements Account, No 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, that Change Order #1 to the contract with Safeway Contracting Inc., 136 Market Street, Kenilworth, NJ 07033 is hereby authorized in the amount of \$13,600.00 for a total amended contract amount of \$170,350.00.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$13,600.00** are available for the above in Account No. **C-04-14-1872-310-001** for a revised construction contract amount of \$170,350.00.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.519-092018

RESOLUTION AUTHORIZING CONTRIBUTION OF FIRST AID SQUAD FUNDS TO RARITAN VALLEY REGIONAL EMERGENCY MEDICAL SERVICES, INC. FROM THE 2018 CALENDAR YEAR BUDGET IN AN AMOUNT NOT TO EXCEED \$105,000.00

WHEREAS, the Township of Edison budgeted \$105,000.00 in the calendar year 2018 budget and desires to distribute said funds to Raritan Valley Regional Emergency Medical Services, Inc., 848 New Dover Road, Edison, NJ 08820 for the volunteer first aid squad of the Township of Edison; and

WHEREAS, N.J.S.A. 40:5-2 authorizes municipalities to make such contributions; and

WHEREAS, upon receipt of these funds the volunteer first aid squad is responsible to comply with all federal, state and local statutes, ordinances and regulations as they would be with any other funds they receive; and

WHEREAS, funds in the amount of \$105,000.00 have been certified to be available in the Aid To Vol First Aid Squad Account, Number 8-01-25-0260-000-030; 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 in the County of Middlesex, New Jersey that the proper Township officials are hereby authorized to make the donation of \$105,000.00 as indicated herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$105,000.00 are available for the above expenditure in Account No. 8-01-25-0260-000-030.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.520-092018

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER(S) TO CDW GOVERNMENT INCORPORATED THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF A VIDEO CONFERENCE SYSTEM WITH A ONE YEAR WARRANTY FOR THE EDISON MUNICIPAL COURT

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Township of Edison is a member of the EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PRICING SYSTEM #65MCECCPS; and

WHEREAS, CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484 has been awarded Contract ESCNJ 18/19-03 (Technology Supplies & Services) through this Cooperative Pricing System; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order(s) with CDW GOVERNMENT INCORPORATED for the purchase of a video conference system with a one year warranty to be compatible with Middlesex County's new system; and

WHEREAS, funds in the amount of \$10,904.70 have been certified to be available in Acquisition of Computer and Camera Equipment Account, number C-04-15-1914-101-000; and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, in the amount of \$10,904.70 with CDW GOVERNMENT INCORPORATED, 2 Corporate Dr., Suite 800, Shelton, CT 06484, the approved Educational Services Commission of New Jersey Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$10,904.70** are available in Account number **C-04-15-1914-101-000**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.521-092018

EXPLANATION: This Municipal Resolution enables the Township of Edison to develop and submit a viable application to the Middlesex County Department of Public Safety & Health Office of Health Services Division of Solid Waste Management 2019 Recycling Enhancement Grant Program for a maximum amount of \$7,500.00 in awarded grant funds to help support the development and implementation of viable plans and strategies to enhance residential compliance assistance and enforcement programs for Edison Department of Public Work Recycling programs, efforts, activities and initiatives throughout the Township.

WHEREAS, the Township of Edison desires to apply for and obtain a grant from the Middlesex County Department of Public Safety & Health Office of Health Services Division of Solid Waste Management 2019 Recycling Enhancement Grant Program to provide up to \$7,500.00 in awarded grant funds to help support viable plans and strategies for the development and implementation of residential compliance assistance and enforcement programs for Edison Department of Public Work Recycling programs, efforts, activities and initiatives throughout the Township; and

WHEREAS, the development of effective plans and strategies shall assist the Edison Department of Public Works with its efforts to enhance the collection of local recyclable materials throughout the Township that would otherwise enter the general waste stream, landfills and waterways of Edison and Middlesex County; and

WHEREAS, upon receipt of said grant award, the Township of Edison agrees to encumber any municipal funds needed in addition to those awarded by the Middlesex County Department of Public Safety & Health Office of Health Services Division of Solid Waste Management 2019 Recycling Enhancement Grant Program per stated terms and conditions, for the development and implementation of viable plans and strategies to enhance residential compliance assistance and enforcement programs for Edison Department of Public Works Recycling programs, efforts, activities and initiatives throughout the Township.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby authorize the development and submission of a viable application for a

maximum amount of \$7,500.00 of grant funds, according to the regulations and guidelines of the Middlesex County Department of Public Safety & Health Office of Health Services Division of Solid Waste Management 2019 Recycling Enhancement Grant Program, at its regularly-scheduled Public Meeting, on the evening of Wednesday September 26, 2018.

RESOLUTION R.522-092018

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO INDEPENDENT EDISON DOOR CO. FOR OVERHEAD DOOR REPAIR/MAINTENANCE

WHEREAS, bids were received by the Township of Edison on August 21, 2018 for Public Bid No. 18-08-31R-Overhead Door Repair/Maintenance for the Township of Edison; and

WHEREAS, INDEPENDENT EDISON DOOR CO., 176 US Highway 206, Hillsborough, NJ 08844, submitted the lowest legally responsible, responsive bid; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$50,000.00, 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 INDEPENDENT EDISON DOOR CO., 176 US Highway 206, Hillsborough, NJ 08844, for Overhead Door Repair/Maintenance for the Township of Edison, is determined to be the lowest legally responsible, responsive bid.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$50,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with INDEPENDENT EDISON DOOR CO. as described herein.

RESOLUTION R.523-092018

RESOLUTION AWARDING CONTRACT TO CAMBRIA TRUCK CENTER FOR THE PURCHASE OF TWO (2) AUTOMATED SIDE LOADER REFUSE COLLECTION VEHICLE FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, bids were received by the Township of Edison on November 29, 2017 for Public Bid No. 17-06-18 Automated Side Loader Refuse Collection Vehicle for the Department of Public Works; and

WHEREAS, CAMBRIA AUTOMOTIVE COMPANIES, 116 Talmadge Rd., Edison, NJ 08817 submitted the lowest legally responsible, responsive bid; and

WHEREAS, Resolution R. 702-122017 authorized the award of a contract to CAMBRIA AUTOMOTIVE COMPANIES for the purchase of two automated side loaders; and

WHEREAS, contract specifications allow for additional purchases under this contract and the Township of Edison wishes to exercise this option to purchase two additional vehicles; and

WHEREAS, the maximum amount of the purchase shall not exceed \$579,600.00 (\$279,900.00 per vehicle and \$9,900.00 per extended two year warranty); and

WHEREAS, funds in the amount of \$531,050.00 have been certified to be available in the Sanitation Capital Outlay Account, Number 8-09-55-0880-000-600, funds in the amount of \$19,800.00 have been certified to be available in the Sanitation Operating – Equipment Maintenance Account, No. 8-09-55-0800-001-216, and funds in the amount of \$28,750.00 have been certified to be available in the Sanitation Operating – New Equipment Account, No. 8-09-55-0800-001-212; 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 execute a contract and any other necessary documents, with CAMBRIA AUTOMOTIVE COMPANIES, 116 Talmadge Rd., Edison, NJ 08817, as described herein, in the amount not to exceed \$579,600.00 for two additional automated side loaders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds for the above in the amount of **\$531,050.00** are available in Account Number **8-09-55-0880-000-600**, funds in the amount of **\$19,800.00** are available in Account No. **8-09-55-0800-001-216**, and funds in the amount of **\$28,750.00** are available Account No. **8-09-55-0800-001-212**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.524-092018

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO JERSEY MULCH PRODUCTS, LLC FOR THE FURNISHING OF GROUND MATERIALS

WHEREAS, bids were received by the Township of Edison on July 6, 2018 for Public Bid No. 18-10-26 - Ground Materials; and

WHEREAS, JERSEY MULCH PRODUCTS, LLC, 48 Old Jacksonville Rd., Towaco, NJ 07082, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$70,000.00, 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 JERSEY MULCH PRODUCTS, LLC 48 Old Jacksonville Rd., Towaco, NJ 07082 for Ground Materials is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet .
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$70,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with JERSEY MULCH PRODUCTS, LLC.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received.

RESOLUTION R.525-092018

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO BRITTON INDUSTRIES, INC.
FOR THE FURNISHING OF GROUND MATERIALS**

WHEREAS, bids were received by the Township of Edison on July 6, 2018 for Public Bid No. 18-10-26 - Ground Materials; and

WHEREAS, BRITTON INDUSTRIES, INC., 227 Bakers Basin Rd., Lawrenceville, NJ 08648, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$20,000.00, 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 BRITTON INDUSTRIES, INC., 227 Bakers Basin Rd., Lawrenceville, NJ 08648 for Ground Materials is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet .
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with BRITTON INDUSTRIES, INC.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received.

RESOLUTION R.526-092018

**RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO SITEONE LANDSCAPE
SUPPLY FOR THE FURNISHING OF GROUND MATERIALS**

WHEREAS, bids were received by the Township of Edison on July 6, 2018 for Public Bid No. 18-10-26 - Ground Materials; and

WHEREAS, SITEONE LANDSCAPE SUPPLY, 1385 East 36th St., Cleveland, OH 44114, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$5,000.00, 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 SITEONE LANDSCAPE SUPPLY, 1385 East 36th St., Cleveland, OH 44114 for Ground Materials is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$5,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with SITEONE LANDSCAPE SUPPLY.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received.

RESOLUTION R.527-092018

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO SILAGY CONTRACTING, INC. FOR THE FURNISHING OF GROUND MATERIALS

WHEREAS, bids were received by the Township of Edison on July 6, 2018 for Public Bid No. 18-10-26 - Ground Materials; and

WHEREAS, SILAGY CONTRACTING, INC., P.O. Box 1096, Edison, NJ 08817, submitted the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$10,000.00, 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 SILAGY CONTRACTING, INC., P.O. Box 1096, Edison, NJ 08817 for Ground Materials is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$10,000.00 for the first year renewal and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents, with SILAGY CONTRACTING, INC.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received.

RESOLUTION R.528-092018

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO STAVOLA CONSTRUCTION MATERIALS FOR THE FURNISHING OF MATERIALS

WHEREAS, bids were received by the Township of Edison on August 2, 2018 for Public Bid No. 18-03-08-Materials; and

WHEREAS, STAVOLA CONSTRUCTION MATERIALS, 175 Drift Road, Tinton Falls, NJ 07724 submitted the lowest legally responsible bid for various items as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$90,000.00, 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 by STAVOLA CONSTRUCTION MATERIALS, 175 Drift Road, Tinton Falls, NJ 07724 for Materials is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.
4. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$90,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with STAVOLA CONSTRUCTION MATERIALS as described herein.
5. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received.

RESOLUTION R.529-092018

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO TRAP ROCK INDUSTRIES INCORPORATED FOR THE FURNISHING OF MATERIALS

WHEREAS, bids were received by the Township of Edison on August 2, 2018 for Public Bid No. 18-03-08-Materials; and

WHEREAS, TRAP ROCK INDUSTRIES INCORPORATED, P.O. Box 419, Kingston, NJ 08528, submitted the lowest legally responsible bid for various items as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$400,000.00, 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 TRAP ROCK INDUSTRIES INCORPORATED, P.O. Box 419, Kingston, NJ 08528 for Materials is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$400,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with TRAP ROCK INDUSTRIES INCORPORATED as described herein.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received.

RESOLUTION R.530-092018

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO SITE ONE LANDSCAPE SUPPLY FOR THE FURNISHING OF MATERIALS

WHEREAS, bids were received by the Township of Edison on August 2, 2018 for Public Bid No. 18-03-08-Materials; and

WHEREAS, SITE ONE LANDSCAPE SUPPLY, 1385 East 36th St., Cleveland, OH 44114, submitted the lowest legally responsible bid for various items as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$20,000.00, 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 by SITE ONE LANDSCAPE SUPPLY, 1385 East 36th St., Cleveland, OH 44114 for Materials is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$20,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with SITE ONE LANDSCAPE SUPPLY as described herein.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received.

RESOLUTION R.531-092018

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO CHEMUNG SUPPLY CORP. FOR THE FURNISHING OF MATERIALS

WHEREAS, bids were received by the Township of Edison on August 2, 2018 for Public Bid No. 18-03-08-Materials; and

WHEREAS, CHEMUNG SUPPLY CORP., P.O. Box 527, Elmira, NY 14902, submitted the lowest legally responsible bid for various items as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$10,000.00, 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 by CHEMUNG SUPPLY CORP., P.O. Box 527, Elmira, NY 14902 for Materials is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$10,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with CHEMUNG SUPPLY CORP. as described herein.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received.

RESOLUTION R.532-092018

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO RARITAN GROUP, INC. FOR THE FURNISHING OF MATERIALS

WHEREAS, bids were received by the Township of Edison on August 2, 2018 for Public Bid No. 18-03-08-Materials; and

WHEREAS, RARITAN GROUP, INC., 301 Meadow Rd., Edison, NJ 08817, submitted the lowest legally responsible bid for various items as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$10,000.00, 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 by RARITAN GROUP, INC., 301 Meadow Rd., Edison, NJ 08817 for Materials is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$10,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with RARITAN GROUP, INC. as described herein.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received.

RESOLUTION R.533-092018

RESOLUTION ACCEPTING BID AND AWARING A CONTRACT TO CORE AND MAIN LP FOR THE FURNISHING OF MATERIALS

WHEREAS, bids were received by the Township of Edison on August 2, 2018 for Public Bid No. 18-03-08-Materials; and

WHEREAS, CORE AND MAIN LP, 61 Gross St., Edison, NJ 08837, submitted the lowest legally responsible bid for various items as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$4,000.00, 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 by CORE AND MAIN LP, 61 Gross St., Edison, NJ 08837 for Materials is determined to be the lowest legally responsible bid for various items as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$4,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with CORE AND MAIN LP as described herein.
3. The Purchasing Agent is hereby authorized to rebid those items in the bid where no bids were received.

RESOLUTION R.534-092018

RESOLUTION ACCEPTING BID AND AWARING A CONTRACT TO GARDEN STATE HIGHWAY PRODUCTS, INC. FOR THE FURNISHING OF TRAFFIC WARNING/STREET SIGNS AND RELATED MATERIALS

WHEREAS, bids were received by the Township of Edison on July 31, 2018 for Public Bid No. 18-03-09-Traffic Warning/Street Signs and Related Materials for the Township of Edison; and

WHEREAS, GARDEN STATE HIGHWAY PRODUCTS, INC., 301 Riverside Dr., Millville, NJ 08332, submitted the lowest legally responsible, responsive bid as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$40,000.00, 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 by GARDEN STATE HIGHWAY PRODUCTS, INC., 301 Riverside Dr., Millville, NJ 08332 for Traffic Warning/Street Signs and Related Materials is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$40,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with GARDEN STATE HIGHWAY PRODUCTS, INC., as described herein.

RESOLUTION R.535-092018

RESOLUTION ACCEPTING BID AND AWARDING A CONTRACT TO TRAFFIC SAFETY SERVICE, LLC FOR THE FURNISHING OF TRAFFIC WARNING/STREET SIGNS AND RELATED MATERIALS

WHEREAS, bids were received by the Township of Edison on July 31, 2018 for Public Bid No. 18-03-09-Traffic Warning/Street Signs and Related Materials for the Township of Edison; and

WHEREAS, TRAFFIC SAFETY SERVICE, LLC, 601 Hadley Rd., South Plainfield, NJ 07080, submitted the lowest legally responsible, responsive bid as listed on the spreadsheet; and

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

WHEREAS, the amount of the first year and any succeeding renewal year shall not exceed \$5,000.00, 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 by TRAFFIC SAFETY SERVICE, LLC, 601 Hadley Rd., South Plainfield, NJ 07080 for Traffic Warning/Street Signs and Related Materials is determined to be the lowest legally responsible, responsive bid for various items of the bid as listed on the spreadsheet.
2. The Mayor, or his designee, is hereby authorized to execute a contract in the amount not to exceed \$5,000.00 for the first year and any succeeding renewal year contingent upon appropriation of sufficient funds each renewal year and any other necessary documents with TRAFFIC SAFETY SERVICE, LLC, as described herein.

RESOLUTION R.537-092018

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
LIN BEN FOR THE ABC PROGRAM**

WHEREAS Lin Ben made payment in the amount of \$130.00 for his child Adalyn Ben's participation in the ABC Program at Menlo Park Elementary School for the month of September; and

WHEREAS the child was removed from the program prior to attending in September; and

WHEREAS payment was already made for the month of September, 2018.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$130.00 to Lin Ben, 72 Calvert Ave., West, Edison, NJ, 08820, which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$130.00 are available in Account #8-01-55-0291-000-000.

RESOLUTION R.538-092018

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
VASU LAKKAMRAJU FOR THE ABC PROGRAM**

WHEREAS Vasu Lakkamraju made payment in the amount of \$190.00 for his child Vignesh Lakkamraju's participation in the ABC Program at John Marshall Elementary School for the month of September; and

WHEREAS the child was removed from the program prior to attending in September; and

WHEREAS payment was already made for the month of September, 2018.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$190.00 to 2115 Strawberry Ct., Edison, NJ, 08817, which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$190.00 are available in Account #8-01-55-0291-000-000.

RESOLUTION R.539-092018

**RESOLUTION AUTHORIZING A REIMBURSEMENT TO
SADHIKA SALARIYA FOR THE ABC PROGRAM**

WHEREAS Sadhika Salariya made payment in the amount of \$480.00 for her children Mahika Salariya and Rishaan Salariya's participation in the ABC Program at Martin Luther King Elementary School for the month of September; and

WHEREAS the children were removed from the program prior to attending in September; and

WHEREAS payment was already made for the month of September, 2018.

NOW; THEREFORE, IT IS RESOLVED by the Township Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison shall refund the amount of \$480.00 to Sadhika Salariya, 414 Westgate Drive, Edison, NJ, 08820, which represents the amount for the ABC Program.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of \$480.00 are available in Account #8-01-55-0291-000-000

RESOLUTION R.540-092018

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO ECONOCRAFTS FOR THE PURCHASE OF PRE-PACKAGED CRAFT KITS FOR THE TOWNSHIP OF EDISON

WHEREAS, the Township of Edison, Department of Recreation, needs to purchase pre-packaged craft kits for the Township for use in their programs throughout the year; and

WHEREAS, the Township contracted vendors could not supply these items and an attempt was made to obtain quotes but other vendors did not meet the state requirements of having a business registration certificate; and

WHEREAS, the Township plans to purchase these items from ECONOCRAFTS, 29 Riverside Ave, Bldg 2, Newark, NJ 07104 pursuant to the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

WHEREAS, the total amount of this contract/Purchase Order(s) in the amount not to exceed \$20,000.00 cannot be encumbered at this time; and

WHEREAS, this amount exceeds \$17,500.00 and therefore needs authorization through the provisions of N.J.S.A. 19:44A-20.5 et. seq.; and

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

WHEREAS, prior to entering into a contract, ECONOCRAFTS, will have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Edison in the previous one year, and that the contract will prohibit ECONOCRAFTS from making any reportable contributions through the term of the contract; and

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

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

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

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

1. The Mayor or his designee is hereby authorized to execute a contract/purchase order(s) and any other necessary documents, with ECONOCRAFTS, in the amount not to exceed \$20,000.00 for the purchase of pre-packaged craft kits as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-5 and 19:44A-20.5 et. seq, and without competitive bidding.
3. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
4. The Township Clerk shall advertise notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1, et seq. and in compliance with the Local Public Contracts Law guidelines.

RESOLUTION R.541-092018

EXPLANATION: This Resolution authorizes the Township Council to grant permission to Fireworks Extravaganza to discharge fireworks for the Dushahra Festival taking place on the grounds of Lake Papianni, scheduled for October 13, 2018 with a rain date of October 20, 2018

WHEREAS, Fireworks Extravaganza has applied to the Township of Edison for a permit to discharge fireworks on October 13, 2018 with a rain date of October 20, 2018 for the Dushahra Festival taking place on the grounds of Lake Papianni; and

WHEREAS, Fireworks Extravaganza has provided proof of insurance to the Township of Edison for the purpose of conducting a fireworks display; and

WHEREAS, under N.J.S.A. 21:3-3, the Chief of Police, the Chief of Fire, and the Fire Marshal having reviewed the application for the firework display, have determined that the discharge of fireworks does not pose a hazard to anyone's property and/or person(s).

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

1. The Township Council does hereby grant permission for Fireworks Extravaganza to conduct a fireworks display on the evening of October 13, 2018 With a rain date of October 20, 2018 at approximately 8:00 p.m. on the grounds of Lake Papaiani in accordance with N.J.A.C. 5:70-2.7 (a)(5)(iii).
2. The Fire Marshal shall not issue the fireworks permit until **1.** A permit fee in the amount of \$427.00 is made payable to the Township of Edison pursuant to N.J.A.C. 5:70-2.9 (c)(3), **2.** Fireworks Extravaganza posts a bond and or proof of insurance of not less than \$2,500.00 conditioned for the payment of potential damages pursuant to N.J.S.A. 21:3-5 and **3.** Fireworks Extravaganza post an escrow in the amount of \$500.00 for legal review of fireworks application and expenses associated with drafting a resolution authorizing the Township Council to issue any such fireworks permit **4.** A fire engine is on standby at the shoot site prior, during, and after the show until the post shell inspection has been conducted.
3. The Chief of the Fire Department and or The Fire Marshal shall have full enforcement and over sight powers to ensure that all aspects of the fireworks display are handled in accordance with the requirement of law.
4. The Township Clerk of Edison Township is directed to forward a copy of this Resolution to Fireworks Extravaganza, the Fire Marshal’s Office, Division of Fire, and Division of Police.

RESOLUTION R.542-092018

RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS TO VOLUNTEER FIRE COMPANIES FOR 2018

WHEREAS, it is the desire of the Township of Edison to appropriate funds for the direct use of the Volunteer Fire Departments located within the Township of Edison; and

WHEREAS, New Jersey State Statutes N.J.S.A. 40A:14-34, et. seq. authorizes said funding; and

WHEREAS, it is understood by the parties that the volunteer fire companies shall be responsible to comply with all Federal, State and Local restrictions and regulations regarding the use of said funds; and

WHEREAS, funds in the amount of \$40,000.00 have been certified to be available in the Aid to Volunteer Fire – Materials & Supplies Account, Number 8-01-25-0255-000-030; and

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

NOW, THEREFORE, IT IS RESOLVED by the Municipal Council of the Township of Edison, Middlesex County, New Jersey that in accordance with N.J.S.A. 40A:14-34, et. seq., the following volunteer fire companies are hereby authorized to receive the following appropriations for 2018; and

- Raritan Engine Co.#1- \$10,000.00
- Raritan Engine Co.#2- \$10,000.00
- Edison Volunteer Fire Co. #1-\$10,000.00
- Oak Tree Volunteer Fire Co.- \$10,000.00

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount **\$40,000.00** are available for the above in Account No. **8-01-25-0255-000-030**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.543-092018

RESOLUTION AUTHORIZING THE USE OF COMPETITIVE CONTRACTING FOR THE MANAGEMENT OF SCHOOL CROSSING FUNCTIONS

WHEREAS, the Local Public Contracts Law specifically N.J.S.A. 40A:11-4.1 et seq., provides for the utilization of a process called competitive contracting in lieu of public bidding for procurement of specific goods and/or services; and

WHEREAS, said process allows for competition, the award being based on a methodology which includes an evaluation, ranking, and weighing of criteria as well as cost; and

WHEREAS, the township wishes to initiate competitive contracting for the Management of School Crossing Functions pursuant to N.J.S.A. 40A:11-4.1(k) and as approved by the State of New Jersey, Department of Community Affairs; and

WHEREAS, N.J.S.A. 40A:11-4-3(a) requires that in order to initiate competitive contracting, the governing body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in N.J.S.A. 40A:11-4.1 is desired to be contracted.

NOW, THEREFORE IT IS RESOLVED, by the Municipal Council of the Township of Edison that the appropriate township officials are hereby authorized to initiate competitive contracting for the aforesaid project in conformance with N.J.S.A. 40A:11-4.1 et seq.

RESOLUTION R.544-092018

WHEREAS, The Township Planning Board Secretary advises that the Developer Escrow Fees posted by 48 River Drive LLC. for a project located at 7 Sycamore , N.J. 08817 in Block 106, Lot 65.A,66.A and Application #P-5185 ; and

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

WHEREAS; on May 19 , 2017 48 river Drive LLC. posted fees on deposit with the Township of Edison in the account # DE17051948,68391927 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 \$ 280.50 plus accrued interest, if applicable, which represents the amount due and owing the applicant, be returned to 48 River Drive LLC.; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON that the sum of \$280.50 plus accrued interest, if applicable be refunded to 48 River Drive LLC, 8 Carter Drive, Marlboro ,NJ. 07746

BE IF FURTHER RESOLVED that the Director of Finance be and is hereby authorized to refund the sum of \$ 280.50 plus accrued interest, if applicable, in account #DE17051948, 68391927 to the applicant.

RESOLUTION R.545-092018

EXPLANATION: Resolution Refunding Cash Performance and Performance Bond to Glendale Warehouse and Distribution Expansion. Application # Z35-2014 in Account # 68392029/ CP180102GL and Performance Surety Bond # 42469.

WHEREAS, the Township Engineer advises that an inspection has been made of Glendale Warehouse and Distribution Application #Z35-2014, 742 Old Post Road Block:266.A Lot: 19.04, 20B.,21 and said inspection indicates all site improvements are complete and in accordance with Site Plan approval and Municipal Standards of the Township of Edison; and

WHEREAS, the Township Engineer, recommends the release of the Cash Performance posted on in the amount of **\$11,650.54**, plus accrued interest, if applicable on deposit in account **#68392029/ CP180102GL** with the Township of Edison, principal being Glendale Warehouse and Distribution., having offices at 742 Old Post Road, Edison,NJ,08817 and acceptance of the subject improvements; and

WHEREAS, the Township Engineer, recommends the release of the posted Performance Surety Bond **NO.42469** dated December 7, 2017 by the Service Insurance Company Inc. in the amount of **\$104,855.04**.

BE IT FURTHER RESOLVED that the Director of Finance and the Township Clerk be and is hereby authorized to return the aforesaid Cash Performance in the amount of **\$11,650.54** plus accrued interest, if applicable, on deposit in account **#68392029/ CP180102GL** to the applicant, Glendale Warehouse and distribution, 742 Old Post Road , Edison , NJ,08817 . And also the Performance Surety Bond **NO.42469** returned to the Service Insurance Company, 80 Main Street, Suite 330, West Orange, NJ 07052

RESOLUTION R.546-092018

EXPLANATION: A Resolution authorizing a Shared Services Agreement with the County of Middlesex for the recovery of Edison’s Hazmat response costs.

WHEREAS, the County of Middlesex proposes a shared service agreement for the County to recover Hazmat (hazardous materials) response costs incurred by the Township of Edison for the 2019, 2020 and 2021.

WHEREAS, the County will be the lead agency for recovery of all Hazmat response costs incurred by the Township of Edison when the Township responds to Hazmat spills coordinated by the County, and the Township will not be charged for the County’s services in this regard as the County will recoup their administrative expenses for this service from the party responsible for the Hazmat spill; and

WHEREAS, the Township of Edison wishes to enter into a Shared Services Agreement with the County of Middlesex, attached hereto, for the provision of the recovery of Hazmat response costs as permitted by the "Uniform Shared Services and Consolidation Act" N.J.S.A. 40A:65-1, et seq.

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

1. The attached Shared Services Agreement between the Township of Edison and the County of Middlesex for the provision of the recovery of Hazmat response costs is hereby approved by the Township Council.
2. The Mayor, Township Clerk, Township Attorney and other necessary Township Officials and Employees are hereby authorized to execute and deliver the Shared Services Agreement between the Township of Edison and the County of Middlesex for the provision of the recovery of Hazmat response costs attached hereto and all other documents and undertake all actions reasonably necessary to effectuate and implement this Resolution and the terms of the Shared Services Agreement.

RESOLUTION R.547-092018

WHEREAS, July 13, 2015, O.T.R. Associates posted Tree Maintenance Bond fees in the amount of \$300.00, with Check No. 012718 on deposit with the Township of Edison in account #7763396693 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit, on the property identified as 1665 Oak Tree Road, Block 643.DD, Lot 20, Edison, NJ, 08820;

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 \$300.00 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 \$300.00 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 \$300.00, plus any accrued interest as applicable, on deposit in Account #7763396693 to O.T.R. Associates, 4 Cornwall Drive, Suite 222, East Brunswick NJ 08816 for the referenced property at 1665 Oak Tree Road, Edison NJ 08820 Block: 643.DD Lot: 20

RESOLUTION R.548-092018

Authorizing the refund of sewer charge overpayments

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that on various property discharging disposable water into Township of Edison sewer lines, we have received overpayment for sewer use charges due to erroneous or duplicate payments totaling amounts greater than that value billed to their sewer accounts for the indicated year and period; and

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

WHEREAS, the Municipal Council of the Township of Edison desires to authorize the refund of these sewer charge overpayments.

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 in satisfaction of sewer charge overpayments totaling \$ 209.99, and that this Resolution shall take effect immediately.

RESOLUTION R.549-092018

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 17-54-01: Interior Floor Replacement and Installation of Above Floor Kennel System; and authorizes FINAL CONTRACT PAYMENT for release of retainage in the amount of \$3,315 and close-out of the construction project.

WHEREAS, the Township of Edison advertised for a construction contract for the Interior Floor Replacement and Installation of Above Floor Kennel System, 125 Municipal Blvd, Township of Edison, Middlesex County, New Jersey under Public Bid No. 17-51-01; and

WHEREAS, ABHZEEN DESIGN, 2152 Whitesville Road, Toms River, NJ 08755 was awarded a construction contract through resolution R.369-062017 in a contract amount not to exceed \$165,750.00 for the project; and

WHEREAS, the Township Engineer has reviewed the project and certifies the construction work has been completed, a two-year (2-year) warrantee has been provided for all goods and services rendered for the project has been received by the Township of Edison.

WHEREAS, the Township Engineer recommends project acceptance, release of the performance bond, and final payment including retainage be made to ABHZEEN DESIGN, in an amount of \$3,315.00 for a total construction contract as-built cost of \$165,750.00.

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. 17-54-01: Interior Floor Replacement and Installation of Above Floor Kennel System, 125 Municipal Blvd is deemed accepted by the Township of Edison, New Jersey, is subject to the provisions of the warrantee received, and that the performance bond may be released and that final payment, including retainage, shall be made to ABHZEEN DESIGN, in an amount not to exceed \$3,315.00 for a total construction contract as-built cost of \$165,750.

RESOLUTION R.550-092018

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer’s Agreement with Federal Business Centers with respect to Block 390C, Lot 24 on the Edison Township Tax Map, and more commonly known as 1130 King Georges Road.

WHEREAS, Block 390C, Lot 24, and more commonly known as 1130 King Georges Road, as shown on the Township of Edison tax maps (the “**Property**”) was the subject of an application before the Planning Board of the Township of Edison (hereinafter the “**Board**”) made by Federal Business Centers (“**Developer**”) requesting amended final site plan approval to construct a new 50-stall parking area, loading docks and a water quality installation at the Property (the “**Project**”); and

WHEREAS, the Board granted final site plan approval for the Project by adoption of a resolution on July 16, 2018 (the “**Resolution**”); and

WHEREAS, the Township of Edison (the “**Township**”) and Developer desire to enter this Developer’s Agreement to establish the terms pursuant to which the Developer shall undertake construction on the Project, and related matters; and

WHEREAS, the Code of the Township of Edison requires the developer to enter into a Developer’s Agreement with the Township in connection with the Project; and

WHEREAS, the Developer’s Agreement attached hereto between the Township and Developer (the “**Agreement**”) has been prepared by the Township Attorney and has been reviewed and approved by the Township Engineer and by the attorney for the Developer.

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

1. The Mayor is hereby authorized to execute the Agreement substantially in the form as attached hereto as Exhibit A, 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.
2. The Township Clerk is hereby authorized to forward the original and certified copies of the Agreement to the Township Attorney for recording with the Clerk of the County of Middlesex.
3. This Resolution shall take effect immediately.

RESOLUTION R.553-092018

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE HEAVY DUTY OEM TRUCK PARTS FROM GABRIELLI KENILWORTH THROUGH THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM

WHEREAS, N.J.S.A. 40A:11-11 et seq., authorizes contracting units to establish a cooperative pricing system and to enter into cooperative pricing agreements for its administration; and

WHEREAS, **GABRIELLI KENILWORTH**, 2300 Route 130 North, Dayton, NJ 08810, has been awarded Contract #CC-0129-17 for the cooperative purchase of Heavy Duty OEM Truck Parts through the Somerset County Cooperative Pricing System (#2SOCCP), for which Edison is a member; and

WHEREAS, the Township of Edison wishes to purchase same through this cooperative pricing system; and

WHEREAS, the total amount of this contract, not to exceed \$75,000.00, 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) and any other necessary documents, in the amount of \$75,000.00 with **GABRIELLI KENILWORTH**, 2300 Route 130 North, Dayton, NJ 08810, the approved Somerset County Cooperative Pricing System vendor through this resolution, which shall be subject to all the conditions applicable to the current Somerset County Cooperative Pricing System Contract as set forth above.
2. This contract is awarded pursuant to N.J.S.A. 40A:11-11 et seq.

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

NAYS - None

The following Resolutions will be voted upon separately:

RESOLUTION R.536-092018

RESOLUTION AWARDING REIMBURSEMENT TO VARIOUS SOFTBALL TEAMS FOR ENDING THE SEASON IN GOOD STANDING

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

WHEREAS, the ordinance further states that a “Good Standing Refund” in the amount of \$150.00 shall be made payable to each softball team finishing the season in good standing with the league, and

WHEREAS, fees in the amount of \$1,650.00 have been certified to be available in the Township Trust Account, Number T-13-00-1000-000-014.

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

<u>REFUND NAME</u>	<u>TEAM</u>
JOHN M. GATTO, AGENT	STATE FARM
THOMAS LANKEY	WHISPERING KNOLL
JACK MIRANDA	JFK
SAL LAGRASSO	MAIN STREET BARBER SHOP
DOUGLAS VW	DOUGLAS VW
DONNA MACAN	CLARA BARTON BASHERS
ROBERT MEDINA	WHO’S ON FIRST
ANTHONY PETERSON	SOUTH SLIDERS
BEN TORO	GREAT WHITES
KC MICHAEL CABONILAS	SCHMONEY GUTS
JACK MIRANDA	JFK MEDICAL CENTER

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

CERTIFICATION

I hereby certify that funds in the amount of \$1,650.00 are available for the above teams in Account No.T-13-00-1000-000-014.

A motion was made by Councilmember Diehl seconded by Councilmember Sendelsky to adopt this Resolution R.536-092018.

AYES – Councilmember Coyle, Diehl, Joshi, Sendelsky and Council President Patil

ABSTAIN: Councilmember Gomez and Lombardi

NAYS- None

RESOLUTION R.551-092018

EXPLANATION: A Resolution supporting the purchase and rehabilitation of a portion of the property containing the Clive Street Pond the Township of Edison, (more commonly known as 110 Clive Street, on the corner of Clive Street and Mason Drive), by the Board of Chosen Freeholders of the County of Middlesex, New Jersey, with the intention to preserve same as a protected wetland area.

WHEREAS, the Township of Edison (the “**Township**”), and the County of Middlesex, New Jersey (the “**County**”), when appropriate, have displayed interests and furthered preservation of certain parcels in the Township and County, as open space, parks, farmland, and/or historic sites; and

WHEREAS, it has come to the attention of the municipal council of the Township (the “**Municipal Council**”), by way of local concerned residents, that there is a desire to preserve a portion of Block 557.H, Lot 30.B on the tax maps of the Township (commonly known as 110 Clive Street, along the border of the Township and the Borough of Metuchen (the “**Borough**”), which contains the Clive Street Pond (the “**Property**”), in furtherance of the Property’s preservation as protected wetland; and

WHEREAS, it is the understanding of the Municipal Council that the County desires to undertake due diligence in furtherance of the potential purchase and rehabilitation of the Property, with the expectation that the Township and the Borough will thereafter preserve and maintain the Property, but not acquire an ownership interest; and

WHEREAS, in furtherance of certain Township objectives to, where appropriate, encourage the preservation of certain parcels in the Township as open or protected space, and in support of the Borough’s interest in same, the Municipal Council hereby supports the County’s efforts to purchase and rehabilitate the Property in furtherance of the Property’s preservation as a protected wetland; and

WHEREAS, the Municipal Council seeks to transmit the Township’s support of the prospective purchase and rehabilitation of the Property, and its continued preservation of same, to the Board of Chosen Freeholders of the County of Middlesex, New Jersey

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council supports the County’s purchase and rehabilitation of the Property in furtherance of wetland preservation.
3. The Municipal Clerk of the Township shall forward a certified copy of this resolution to Board of Chosen Freeholders of the County of Middlesex, New Jersey.
4. This Resolution shall take effect immediately.

A motion was made by Councilmember Lombardi seconded by Councilmember Sendelsky to adopt this Resolution R.551-092018.

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

NAYS - None

RESOLUTION R.552-092018

EXPLANATION: A Resolution designating redeveloper and authorizing execution of the Redevelopment Agreement with 979 Amboy Avenue, LLC regarding the area in need of rehabilitation known on the Township tax maps as Block 730.G, Lot 28.A (aka 979 Amboy Avenue).

WHEREAS, the municipal council of the Township (“**Municipal Council**”) directed the Township planning board (“**Planning Board**”) to investigate the property bounded by Amboy Avenue and Hoover Avenue to the North, I-95 New Jersey Turnpike to the East, Pierson Avenue to the West and the Middlesex Greenway to the South, which included, amongst other parcels, whether Block 730.G, Lot 28.A, on the tax maps of the Township, constitutes as an “area in need of rehabilitation” as defined in the Redevelopment Law pursuant to the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (“**Redevelopment Law**”); and

WHEREAS, the Planning Board conducted an investigation and prepared a study and map of the boundaries of the Township and made a recommendation to the Municipal Council to designate the Study Area as an area in need of redevelopment; and

WHEREAS, based upon the recommendation of the Planning Board, the Municipal Council on October 28, 2015 adopted a resolution to designate the Study Area as an “area in need of rehabilitation” in accordance with the Redevelopment Law (the “**Rehabilitation Area**”); and

WHEREAS, in accordance with the Redevelopment Law, a redevelopment plan prepared by the Township’s Planner entitled ‘Amboy Avenue Redevelopment Plan’ dated April 2016 (the “**Redevelopment Plan**”)

including the Study Area was referred to the Planning Board for its review and recommendation by the Municipal Council; and

WHEREAS, in accordance with the Redevelopment Law, the Planning Board of the Township reviewed the Redevelopment Plan and recommended its adoption; and

WHEREAS, after reviewing the Planning Board's recommendation, the Municipal Council adopted the Redevelopment Plan by ordinance on August 24, 2016; and

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

WHEREAS, 979 Amboy Avenue, LLC (the "**Redeveloper**") desires to be designated as the "redeveloper" (as such term is defined in the Redevelopment Law) to implement the construction of a four-story, multi-use building, including twelve (12), one (1) bedroom garden apartments, twenty three (23), two (2) bedroom garden apartments, two (2), three (3) bedroom garden apartments, 1,850 square feet of retail space and 75 parking spaces constructed with thirty-seven (37) spaces provided in a garage on the first floor of the building, and the remainder of the spaces being provided along Liddle Avenue and Amboy Avenue along the building frontages (the "**Project**"); and

WHEREAS, Redeveloper is the owner of the Rehabilitation Area; and

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

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

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

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

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

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

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

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

Section 4. 979 Amboy Avenue, LLC is hereby designated as the redeveloper of the Project, subject to the execution of the Redevelopment Agreement.

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

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

Section 7. This Resolution shall take effect immediately.

A motion was made by Councilmember Coyle, seconded by Council President Patil to Table this Resolution R.552-092018.

AYES- Councilmembers Coyle, Diehl, Joshi, and Council President Patil

NAYS – Councilmembers Gomez, Lombardi and Sendelsky.

This Resolution was Tabled.

COMMUNICATIONS

- a. Anonymous letter received regarding overcrowding in an apartment.
- b. Anonymous letter received regarding lighting issues at the Danish Home.

On a motion made by Councilmember Lombardi seconded by Councilmember Sendelsky and duly carried, the above Communications were received.

ORAL PETITIONS AND REMARKS

Council President Patil opened the meeting for public comment.

Maria Orchid, 83 Jefferson Avenue, the Fall Family Festival on Saturday had a great turn out. She asked about the Street Sweepers she hasn't seen them. She asked what is the procedure to get a stop sign installed?

Councilmember Lombardi, there is a schedule

Mr. O'Brien, explained the process if she could email the Business Administrator the street.

Bruce Diamond, 74 Calvert Avenue, he has been coming to meeting for fifteen to twenty years, take you political problems somewhere else. It's not fair the public has to wait four hours to speak, maybe you should consider an open portion at the beginning when have a double meeting. How many hours would it take for each park, a three hours per park, who would perform the inspections and why are we discussing this now. He heard Keith Hahn was talking about Shannon Peng and the flyer.

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

Having no further business to discuss, on a motion made by Councilmember Diehl, seconded by Councilmember Sendelsky the meeting was adjourned at 10:08 p.m.

Ajay Patil
Council President

Cheryl Russomanno, RMC
Municipal Clerk