

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

October 26, 2016

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, October 26, 2016. The meeting was called to order at 7:02 p.m. by Council President Lombardi, followed by the Pledge of Allegiance.

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

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney Northgrave, Business Administrator Ruane, Township Engineer Kataryniak, Assistant Director of Public Works Russomanno, Health Inspector Spearnock, Recreation Director Halliwell, Police Captain Marcantuono, and Cameraman Cologne.

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger, and the Sentinel on December 12, 2015 and posted in the Main Lobby of the Municipal Complex on the same date.

APPROVAL OF MINUTES:

On a motion made by Councilmember Diehl, seconded by Councilmember Gomez and duly carried, the Minutes of the Worksession Meeting of April 11, 2016, April 25, 2016, June 20, 2016 and Combined meeting of October 13, 2016 were accepted as submitted.

COUNCIL PRESIDENT'S REMARKS

Council President Lombardi, would like to recognize our Police Department there was a time when you looked in the newspaper and cringe and say what happened now. Recently we have had five positive articles regarding our Police Officers, Officer Freund saved a six day old baby Officer Carter was at jury duty and had to resuscitate someone, our bike Patrol, blue line for support and showing pink for Breast Cancer month. Everything is going in a positive direction I want to thank Mayor Lankey for his support in our police department and his administration, Chief Bryan and his command staff and all of our men and women in blue for striving to be better and making Edison a safer place more attractive to live and work to bring new business here. Let's give them a round of applause.

APPROVAL OF VOLUNTEER FIREFIGHTERS:

Applications for membership were received by:

Oak Tree Volunteer Fire Company
Jon Mosezas

Raritan Engine Company #1
John Cavallavo

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

UNFINISHED BUSINESS

ORDINANCES FOR FURTHER CONSIDERATION AND PUBLIC HEARING

The following Ordinance, which was introduced by Title on October 13, 2016, passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

O.1945-2016

**THIS ORDINANCE ADOPTS THE "OUR LADY OF PEACE
REDEVELOPMENT PLAN" FOR BLOCK 748, LOT 36 (aka 635
Amboy Avenue) PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW**

(The above Ordinance O.1945-2016 can be found in its entirety in Ordinance Book # .)

Council President Lombardi declared the Public Hearing opened for O.1945-2016.

Arlene Stec, 11 Walsh Avenue, as an active member of Our Lady of Pease she had questions on the concept on page 18 of the plan. It calls for 42 units and 45 parking spaces her concern is people will be parking on Walsh. She asked if a Traffic Study will be done before the project progresses.

Council President Lombardi explained this is an envelope the developer still has to go before the planning board where they can ask for a traffic study.

Councilmember Sendelsky, there will be a public hearing at the Planning Board.

Carlo Conrad, 13 Walsh Avenue, he is concerned that 10 to 12 years down the road the senior housing will just become affordable housing.

Mr. Northgrave said it is age restricted senior affordable, if it become something else it would be a zoning violation.

Mr. Gockel, 77 Safran Avenue, has lived there for 87 years, he understand the concerns about value of property and parking. He asked the council to vote on what you believe.

John Locker, 43 Ireland Avenue, the neighborhood is here to educate themselves on this project. He asked why notices weren't sent to the neighborhood.

Mr. Northgrave explained in this process of an area in need of redevelopment the property owner only gets noticed. He explained the steps the council takes in the process of redevelopment and the Planning Board.

Council President Lombardi, when it gets to the Planning Board everyone within 200 feet will be noticed of the meeting.

Fred Wolke, 10 Peake Road, asked if this is similar to Amboy Avenue redevelopment.

Mr. Northgrave, it is similar to the Clayton Block property.

Esther Nemitz, 162B Fay Street, this is part of the COAH plan that is court approved, so what lead way does the Planning Board have.

Mr. Northgrave, this is age restricted affordable housing.

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

Councilmember Diehl thanked all the residents for their good concerns. He is sure when it gets to the Planning Board Councilmember Sendelsky will make sure the best is done for the neighborhood.

Council Vice President Gomez, the intention is to help seniors. We are going through this process to make sure nothing changes.

Councilmember Sendelsky, I am the liaison for Planning Board, to make sure proper buffering, lighting, etc. as to not affect the quality of life for neighborhood.

Councilmember Coyle agrees, he lives in that area this is a good start.

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

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

NAYS - None

The following Ordinance, which was introduced by Title on October 13, 2016 passed on first reading, published according to law for further consideration at this meeting, was read by the Township Clerk:

**O.1949-2016 AN ORDINANCE AMENDING THE TOWNSHIP'S
AFFORDABLE HOUSING DEVELOPMENT FEE ORDINANCE
IN ITS ENTIRETY.**

Council President Lombardi declared the Public Hearing opened for O.1949-2016.

Esther Nemitz, 162B Fay Street, her main concern is who will be keeping track of this fund.

Mr. Northgrave explained there is a separate account, Affordable Housing Trust Fund so it is very easy to see.

Ms. Nemitz asked who will be keeping track.

Mr. Northgrave, should go through the Clerk's office by filing an OPRA request.

Council President Lombardi it's a requirement to file an annual report.

Ms. Ruane said the account is closely monitored.

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 Diehl, seconded by Councilmember Sendelsky, the Ordinance was adopted.

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

NAYS - None

NEW BUSINESS
PROPOSED ORDINANCES (PUBLIC HEARING SET DOWN FOR MONDAY, NOVEMBER 7, 2016

The following Ordinances were introduced by title:

**O.1950-2016 ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
APPROPRIATION IN THE AMOUNT OF \$830,000 FOR
CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES
IN CONNECTION WITH THE LAYOFF OR RETIREMENT OF
TOWNSHIP EMPLOYEES, IN AND BY THE TOWNSHIP OF
EDISON, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.**

On a motion made by Councilmember Diehl 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 November 7, 2016.

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

NAYS - None

**O.1951-2016 ORDINANCE AUTHORIZING A MONTH TO MONTH LEASE
OF STORAGE OF TOWNSHIP VEHICLES AND EQUIPMENT.**

On a motion made by Councilmember Sendelsky 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 November 7, 2016.

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

NAYS: None

O.1952-2016 AN ORDINANCE AMENDING CHAPTER 37, SUBCHAPTER 66.3 NONCONFORMING USES OF LAND, ADDING A NEW SUBCHAPTER 66.5, NON CONFORMING LOTS, AND RENUMBERING ABANDONMENT OF NONCONFORMING USES OR STRUCTURES TO SUBCHAPTER 66.6 OF THE TOWNSHIP OF EDISON CODE OF GENERAL ORDINANCES.

On a motion made by Councilmember Gomez 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 November 7, 2016.

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

NAYS - None

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Lombardi opened the meeting to the public for comments on Proposed Resolutions R.739-102016 through R.765-102016.

Esther Nemitz, 162B Fay Street, Resolution R.747- 102016, she is very happy we are applying for this grant. When we receive the grant she asked we get input from the residents.

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

The following Resolutions R.739-102016 through R.765-102016 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Shah.

RESOLUTION R.739-102016

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING OCTOBER 20, 2016

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through October 20, 2016.

FUND	AMOUNT
Current	\$4,264,563.39
Affordable Housing	5,660.68
Capital	0.00
Cash Performance	7,499.20
CDBG	11.00
Developers Escrow	27,864.49
Dog (Animal Control)	13,548.71
Federal Forfeited	0.00
Grant Funds	5,918.27
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00

Payroll Deduction	498,024.85
Sanitation Fund	211,479.22
Sewer Utility	82,601.98
Tax Sale Redemption	0.00
Tree Fund	0.00
Tree Planting	60,719.12
Trust	95,784.25
TOTAL	\$5,270,675.16

/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.740-102016

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 **\$21,173.73**.

RESOLUTION R.741-102016

Authorizing the refund of sewer charge overpayments to certain property owners in the Township

WHEREAS, the Tax Collector of the Township of Edison, Lina Vallejo, reports and advises that certain property owners in the Township have overpaid for sewer use charges due to erroneous or duplicate payments totaling amounts greater than that assessed to them for the year **2016**; and

WHEREAS, applications have been made to the Tax Collector for refunds of the aforesaid overpayments, and the Tax Collector advises that the property owners are entitled to refunds as provided for below; 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, as follows:

1. The aforementioned Recitals are incorporated herein as though fully set forth at length.
2. The Municipal Council hereby authorizes the appropriate official of the Township to draw and issue checks to the person(s) in the amounts provided for below, in satisfaction of sewer charge overpayments:

Property Owner	Josh Schuck
Property Location:	27 Trenton Ave
Block/Lot/Qualifier	375.D/52
Sewer Account:	8108-0
Amount to be Refunded:	\$ 123.57
GRAND TOTAL:	\$ 123.57

3. This Resolution shall take effect immediately.

RESOLUTION R.742-102016

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 **\$854.10**.

RESOLUTION R.743-102016

TOWNSHIP OF EDISON
MIDDLESEX COUNTY, NEW JERSEY

**FORM OF RESOLUTION REQUESTING APPROVAL
OF ITEMS OF REVENUE AND APPROPRIATION
PER NJSA 40A:4-87**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has received a grant in the amount of \$ 15,256.54 from State of New Jersey and wishes to amend its CY 2016 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Edison in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget for the CY 2016 in the amount of \$ 15,256.54 which is now available as revenue under:

Miscellaneous Revenues:
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services: Public & Private Programs Off-Set with Appropriations:

Body Armor Fund 2016 **\$ 15,256.54**

BE IT FURTHER RESOLVED that a like sum of \$15,256.54 be and the same is hereby appropriated under the caption of:

General Appropriations:

Body Armor Fund 2016.....**\$ 15,256.54**

BE IT FURTHER RESOLVED, that a certified copy of the required certification will be filed in the office of the Director of Local Government Services for certification.

RESOLUTION R.744-102016

Authorizing Overpayment Refund caused by Successful Tax Court Appeal

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

TAXPAYER	H & K REALTY, LLC
PROPERTY LOCATION	62 ETHEL RD
BLOCK / LOT / QUALIFIER	21/5.E

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

DOCKET NUMBER	TAX YEAR	OLD ASSESS	NEW ASSESS	ASSESS CHANGE
014829-2013	2013	773,300	736,300	(37,000)
013908-2014	2014	773,300	736,300	(37,000)
012350-2015	2015	773,300	736,300	(37,000)
010726-2016	2016	773,300	736,300	(37,000)

WHEREAS, the reduction in assessed value has caused a real estate tax overpayment in the amount of **\$7,419.24** for the years as follows:

TAX YEAR	TAX AMOUNT
2013	\$1,767.12
2014	\$1,822.62
2015	\$1,877.38
2016	\$1,952.12

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, that the Chief Financial Officer of the Township of Edison, shall and is hereby authorized to draw checks to the property owner or legal representative in the amounts of **\$7,419.24**.

RESOLUTION R.745-102016

EXPLANATION: A Resolution adopting corrections to the Township Employee Handbook.

WHEREAS, the Township of Edison (“**Township**”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Township Municipal Council previously approved the updated Township Employee Handbook via Resolution R.509-072016 on July 27, 2016; and

WHEREAS, four ministerial errors were discovered after adoption that have since been corrected; and

WHEREAS, the ministerial errors were corrected prior to distribution to Township employees and this Council wishes to formally recognize the updated Township Employee Handbook as corrected.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

- Section 2. The corrections annexed to as Exhibit A, incorporated into the updated Township Employee Handbook prior to distribution to employees are approved.
- Section 3. The Handbook is intended to provide guidelines covering public service by Township employees and is not a contract.
- Section 4. This Resolution shall take effect immediately.

RESOLUTION R.746-102016

WHEREAS, the New Jersey Department of Environmental Protection is making grant funding available to municipalities within the State of New Jersey through the Pays to Plug In grant program; and,

WHEREAS, funding provided through the Pays to Plug In grant program is designed to support the purchase and installation of electric vehicle charging stations at municipally owned facilities; and,

WHEREAS, municipalities may apply for up to \$5,000 in funding per charging station to cover any and all costs associated with the purchase and installation of electric vehicle charging stations; and,

WHEREAS, the Township of Edison is desirous to make application through the Pays to Plug In grant program in order to implement a pilot electric vehicle program; and,

WHEREAS, the Township of Edison will submit an application requesting \$10,000 in grant funding for the purchase/installation of two (2) electric vehicle charging stations.

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

1. The Township of Edison is hereby authorized to make said grant application to the New Jersey Department of Environmental Protection through the Pays to Plug In grant program.
2. Upon the receipt of a grant award Mayor Thomas Lankey is hereby authorized to sign the grant agreement and that his or those in said title's signature constitutes acceptance of the terms and conditions of the grant agreement.

RESOLUTION R.747-102016

WHEREAS, the New Jersey Department of Transportation is making grant funding available to municipalities within the State of New Jersey through the Transportation Alternatives Program; and,

WHEREAS, funding provided through the Transportation Alternatives Program is designed to support community based "non-traditional" surface transportation projects that will help to strengthen the cultural, aesthetic, and environmental aspects of the nation's intermodal system; and,

WHEREAS, the Township of Edison is desirous to make application through the Transportation Alternatives Program for the completion of the Amboy Avenue Streetscape project; and,

WHEREAS, the proposed project that funding is being sought for is directly related to surface transportation; correlates with other local/regional plans; will have a regional/community impact; and will help to increase and improve upon the local economy/tourism, user mode of choice and cultural/historical resources within the Township of Edison.

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

1. The Township of Edison is hereby authorized to submit said grant application titled *TA-2016-Amboy Avenue Streetscape-00100*.
2. The Township of Edison must designate a full time municipal employee as the *responsible charge* for the purposes of administering the grant award, should funding be provided for this project, as per grant guidelines. The Township hereby designates Mr. Mark Kataryniak, P.E., Director of the Township of Edison Department of Planning and Engineering, as the *responsible charge* for this project.
3. The Township of Edison is committed to the continual *ownership and maintenance* for the useful life of the project following the completion of project related activities.
4. The Township of Edison will complete all project related construction in conformance with the *Americans with Disabilities Act (ADA)* guidelines.

RESOLUTION R.748-102016

EXPLANATION: A Resolution authorizing the Township's entering of a three (3) year

Chlorofluorocarbon Recovery Agreement with the County of Middlesex.

WHEREAS, the County of Middlesex (the "County") and the Township of Edison (the "Township") recognize the importance of being proactive in addressing environmental issues such as the propose recycling of consumer electronics and depletion of the ozone layer known to be caused by manmade chemicals such as chlorofluorocarbons ("CFCs") that can be found in white goods; and

WHEREAS, effective November 17, 2007, recycling of white goods including those that contain CFCs is mandatory in Middlesex County; and

WHEREAS, the Parties have mutually agreed to a three (3) year contract wherein the County shall provide a subsidy to the Township up to fifty percent (50%) of the cost of each properly documented CFC recovery from a residential appliance as provided in the contract attached hereto as *Exhibit A* ("Agreement"); and

WHEREAS, the Agreement is exempt from public bidding pursuant to *N.J.S.A. 40A:11-5(2)* of the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.* as the Agreement is between public entities; and

WHEREAS, the Township shall provide the County Division of Solid Waste Management, on a quarterly basis, an invoice with proper supporting documentation indicating, amongst other information, the number of appliances from which CFCs were recovered and the CFC recovery cost per unit; and

WHEREAS, the total amount of subsidy available to the Township cannot be determined at this time as annual funding level and/or percentages will be established upon determination of the amount of available funding, subject to notice provided by the County to the Township in January of each year; and

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

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

Section 2. The Agreement between the Township and the County is hereby approved. The Mayor is hereby authorized to execute the Agreement, substantially in the form as attached hereto as *Exhibit A*, and all other necessary documents, and undertake all actions reasonably necessary to effectuate the Agreement and the intent of this Resolution.

Section 3. A copy of this Resolution and the Agreement shall be kept on file and made available for public inspection at the office of the Township Clerk.

Section 4. This Resolution shall take effect immediately.

RESOLUTION R.749-102016

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 2016, 2017 and 2018.

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.750-102016

EXPLANATION: This Resolution increases the budget for legal fees to be paid Roth D'Aquanni, LLC for its professional services as Township Labor Counsel.

WHEREAS, the Municipal Council ("Municipal Council") of the Township of Edison ("Township") has entered a professional services contract ("Contract") with Roth D'Aquanni, LLC ("Labor Counsel") to act as the Township's labor counsel, pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, the Resolution of the Municipal Council approving the Contract established the budget for legal services for calendar year 2016; and

WHEREAS, the Municipal Council finds that the services provided under the Contract are important to the Township and that Labor Counsel was required to commit more time to the performance of its legal services than initially expected; and

WHEREAS, the Municipal Council desires to increase the Budgeted Amount to an additional amount not to exceed \$60,000 and authorizes the payment to Labor Counsel for legal services under the Contract.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Budgeted Amount to be paid Labor Counsel for its legal services pursuant to the terms of the Contract is hereby increased an additional amount not to exceed \$60,000. The Chief Financial Officer or his designee is hereby authorized to make payments to Labor Counsel under the Contract up to said amount.
3. The Mayor is hereby authorized to execute any amendments to the Contract to memorialize the increase of the Budget Amount, as may be required, in a form acceptable to the Township Attorney.
4. Labor Counsel shall continue to provide legal services under the Contract at the rates provided for therein.
5. A certificate showing the availability of funds for the Contract has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2016 calendar year.
6. A copy of this Resolution and the Contract, and any amendments thereto, shall be available for public inspection at the offices of the Township Clerk.
7. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2016 calendar year, funds in the amount of an additional \$60,000.00 are available in Account No: 6-01-20-0155-001-027 for Labor Services.

/s/ Nick Fargo
Chief Financial Officer

RESOLUTION R.751-102016

**A RESOLUTION ACCEPTING A GRANT FROM THE HAZARDOUS DISCHARGE
SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW**

JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Town of Edison has applied for and has been awarded a grant in the amount of \$80,773 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for the Preliminary Assessment and Site Investigation along with report preparation for the Muller Machinery Company property;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Town of Edison that the above referenced grant is hereby accepted and the (Mayor, Administrator, etc.) is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Town of Edison.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

RESOLUTION R.752-102016

EXPLANATION: This Resolution increases the budget for Community Planning Consulting fees to be paid to Heyer, Gruel & Associates for its professional services.

WHEREAS, the Municipal Council (“Municipal Council”) of the Township of Edison (“Township”) has entered a professional services contract (“Contract”) with Heyer, Gruel & Associates (“Community Planning Consultant”) to act as the Township’s community planning consultants, pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, the Resolution of the Municipal Council approving the Contract established the budget for community planning services for calendar year 2016; and

WHEREAS, the Municipal Council finds that the services provided under the Contract are important to the Township and that Community Planning Consultant was required to commit more time to the performance of its community planning services than initially expected; and

WHEREAS, the Municipal Council desires to increase the Budgeted Amount to an additional \$45,000 and authorizes the payment to Community Planning Consultant for community planning services under the Contract.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Budgeted Amount to be paid Community Planning Consultant for its community planning services pursuant to the terms of the Contract is hereby increased \$45,000. The Chief Financial Officer or his designee is hereby authorized to make payments to Community Planning Consultant under the Contract up to said amount.
3. The Mayor is hereby authorized to execute any amendments to the Contract to memorialize the increase of the Budget Amount, as may be required, in a form acceptable to the Township Attorney.
4. Community Planning Consultant shall continue to provide community planning services under the Contract at the rates provided for therein.
5. A certificate showing the availability of funds for the Contract has been provided by the Chief Financial Officer of the Township and is made a part hereof indicating that the appropriation for the within expenditure is charged to the applicable accounts and is contingent upon the adoption of a temporary and/or permanent budget for the 2016 calendar year.
6. A copy of this Resolution and the Contract, and any amendments thereto, shall be available for public inspection at the offices of the Township Clerk.
7. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify that, contingent upon the adoption of a temporary and/or permanent budget for the 2016 calendar year, funds in the amount of an additional \$45,000.00 are available in Account No: 6-0121-0816-000-028 for Community Planning Services.

/s/Nick Fargo
Chief Financial Officer

RESOLUTION R.753-102016

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO ATLANTIC SWITCH & GENERATOR, LLC FOR GENERATOR MAINTENANCE AND REPAIR

WHEREAS, bids were received by the Township of Edison on September 21, 2016 for Public Bid No. 16-10-03, Generator Maintenance and Repair for the Department of Public Works; and

WHEREAS, ATLANTIC SWITCH & GENERATOR, LLC, 4108 Sylon Blvd., Hainesport, NJ 08036, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$60,000.00, 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 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 ATLANTIC SWITCH & GENERATOR, LLC, 4108 Sylon Blvd., Hainesport, NJ 08036 for Generator Maintenance and Repair for the Department of Public Works, 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 \$60,000.00 and any other necessary documents, with ATLANTIC SWITCH & GENERATOR, LLC as described herein.

RESOLUTION R.754-102016

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO AIR BRAKE AND EQUIPMENT FOR TRUCK TRANSMISSION REPAIR/REBUILD

WHEREAS, bids were received by the Township of Edison on September 17, 2016 for Public Bid No. 16-09-07-Truck Transmission Repair/Rebuild for the Department of Public Works; and

WHEREAS, AIR BRAKE AND EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205, submitted the lowest legally responsible, responsive bid; and

WHEREAS, the total amount of this contract, not to exceed \$45,000.00, 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 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 AIR BRAKE AND EQUIPMENT, 225 Route 22 West, Hillside, NJ 07205 for Truck Transmission Repair/Rebuild for the Department of Public Works, 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 \$45,000.00 and any other necessary documents, with AIR BRAKE AND EQUIPMENT as described herein.

RESOLUTION R.755-102016

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE SNACKS THROUGH AN INTERLOCAL SERVICE AGREEMENT WITH THE EDISON BOARD OF EDUCATION

WHEREAS, N.J.S.A. 40:8A-1 et seq. - authorizes contracting units to enter into Interlocal Service Agreements; and

WHEREAS, the Edison Township Board of Education, herein referred to as the “Lead Agency”, has offered voluntary participation in an Interlocal Service Agreement for the purchase of snacks for the AM & PM Latch Key Program for the 2016/2017 school year; and

WHEREAS, the Township of Edison, County of Middlesex, State of New Jersey, desires to participate in the Middlesex County Food Service Program; and

WHEREAS, COMPASS GROUP D/B/A CHARTWELLS, 498 Ocean Avenue, Sea Bright NJ 07760 is the vendor selected for the Edison Board of Education; and

WHEREAS, the price for these snacks shall be \$.80 per snack payable to EDISON BOE CAFETERIA ACCOUNT C/O COMPASS GROUP – CHARTWELLS; and

WHEREAS, the amount of this contract cannot be determined at this time, and the total amount of the award cannot be encumbered; 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 official responsible for issuing the purchase order shall ensure that funds are available for the purchase through either an encumbrance or certification of availability of funds pursuant to N.J.A.C. 5:30-11.10;

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 the Mayor, or his designee, is hereby authorized to execute a contract (purchase order/s) in the amount not to exceed \$165,750.00 and any other necessary documents, with EDISON BOE CAFETERIA ACCOUNT C/O COMPASS GROUP – CHARTWELLS.

RESOLUTION R.756-102016

EXPLANATION: This resolution approves the internal development and submission of the Township of Edison Division of Fire’s web-based, on-line application to the 2016 USDHS FEMA Assistance to Firefighter Grant (AFG) program, for grant of approximately \$1,000,000.00, to obtain funds to facilitate the acquisition of up-to-date Self Contained Breathing Apparatus (SCBA), related items and training, for the protection, improved safety and effective performance of active Edison Division of Fire Firefighters, as well as for the protection of the public-at-large and property.

WHEREAS, the United States Department of Homeland Security (USDHS) Federal Emergency Management Agency (FEMA) has provided an opportunity to U.S. Municipalities, Territories and Protectorates to apply for grant funding under the 2016 Assistance to Firefighters Grant (AFG) program; and

WHEREAS, the 2016 USDHS FEMA AFG program can provide available grant funds to assist local Fire Fighter Companies to acquire SCBA (Self Contained Breathing Apparatus), related items and

training to protect and assist Fire Fighters in their efforts to address fire events and related hazardous activities to protect and save the public-at-large, as well as property; and

WHEREAS, the Township of Edison Division of Fire wishes to apply for grant funding for an approximate amount of \$1,000,000.00, available from the 2016 USDHS FEMA AFG program; and

WHEREAS, the 2016 USDHS FEMA AFG program provides 90% in federal grant funds, with a requisite 10% local cost share to awardees, based upon the approved, total project narrative, budget and full application, completed and submitted by November 18, 2016.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Edison, Middlesex County, New Jersey, does hereby approve and authorize the development and submission of said grant application, according to current 2016 USDHS FEMA AFG regulations, at a regularly-scheduled Public Meeting, on Wednesday, October 26, 2016.

USDHS FEMA Assistance to Firefighters Grants

The primary goal of the Assistance to Firefighters Grants (AFG) is to meet the firefighting and emergency response needs of fire departments and nonaffiliated emergency medical services organizations. Since 2001, AFG has helped firefighters and other first responders to obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources needed to protect the public and emergency personnel from fire and related hazards. The Federal Emergency Management Agency administers the grants in cooperation with the U.S. Fire Administration.

RESOLUTION R.757-102016

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT/PURCHASE ORDER(S) TO ESI EQUIPMENT, INC. FOR HOLMATRO RESCUE
EQUIPMENT**

WHEREAS, the Township of Edison, Division of Fire, has the need to purchase Holmatro rescue equipment; and

WHEREAS, ESI EQUIPMENT INC., 119 Keystone Drive, Montgomeryville, PA 18936 is the exclusive dealer/distributor of Holmatro and therefore a sole source for this vendor; and

WHEREAS, the amount spent with ESI is approaching \$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 in aggregate in a twelve month period; and

WHEREAS, ESI EQUIPMENT INC., will supply Holmatro rescue equipment in the amount not to exceed \$60,000.00 (for previous and future purchases) for a twelve month period; and

WHEREAS, prior to entering into a contract, ESI EQUIPMENT INC., 119 Keystone Drive, Montgomeryville, PA 18936, 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 ESI EQUIPMENT INC. from making any reportable contributions through the term of the contract; and

WHEREAS, the total amount of this contract/purchase order, not to exceed \$60,000.00, 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 \$60,000.00, with ESI EQUIPMENT INC., 119 Keystone Drive, Montgomeryville, PA 18936 as described herein.
2. The Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.

RESOLUTION R.758-102016

EXPLANATION: A Resolution awarding a new Plenary Retail Distribution Liquor License to Daryl, LLC, which entity has submitted the winning bid for same in the amount of \$412,001.02.

WHEREAS, pursuant to Resolution R.620-082016 adopted on August 24, 2016 and in conformance with the New Jersey Alcoholic Beverage Control Act, *N.J.S.A. 33:1-1 et seq.* (“Act”), the regulations promulgated thereunder at *N.J.A.C. 13:2-1.1 et seq.* and the Township Code of General Ordinances (“Code”), the municipal council (“Municipal Council”) of the Township of Edison (“Township”) authorized the sale of one (1) new Plenary Retail Distribution Liquor License (“License”); and

WHEREAS, as required by, and in accordance with the above-referenced authority, the Township prepared bid specifications for the sale of the License, published notice of the proposed sale by bid and received bid(s) pursuant thereto; and

WHEREAS, two (2) bid packages were received by the Township from a prospective bidder by the bid submission deadline of 1:00 p.m. on Friday, October 7, 2016 and said bids were found to be in compliance with the bid application requirements; and

WHEREAS, on Wednesday, October 12, 2016, the bids were opened and found to be in excess of the minimum required bid and submitted with a certified check for the required 20% bid deposit; and

WHEREAS, the Municipal Council desires to award the License to Daryl, LLC (“Entity”) which has submitted the winning bid for same in the amount of \$412,001.02.

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

1. The Entity’s bid of \$412,001.02 is hereby accepted, and the License is hereby awarded to the Entity, conditioned upon the Entity meeting all the requirements of the Act and related regulations, the Code, the bid specifications and this Resolution.
3. The Entity’s 20% bid deposit of \$82,400.21 shall be deposited by the Township, and the balance of the bid in the amount of \$329,601.81 shall be paid by the Entity to the Township not later than Friday, November 18, 2016. In the event of a default or breach of promise, all deposit monies shall be forfeited to the Township.
4. The Entity shall tender payment of all required State and local application fees and license fees.
5. The issuance of the License to the Entity shall be contingent upon the satisfactory outcome of municipal background checks to investigate the source of funds used to purchase the License; the receipt of favorable State and/or federal criminal background checks; and the compliance with the publication, hearing (if there are objections) and resolution requirement under *N.J.A.C. 13:2-1.1 et seq.* for the issuance of a new license.
6. The Township Clerk shall transmit a copy of the Entity’s 12-page ABC application (long form) to the Township Police Department along with copies of the remainder of the bid documents, including the bid deposit check, and a certified copy of this Resolution.
7. The Entity must comply with all ordinances of the Township, State laws and regulations in locating the License.

RESOLUTION R.759-102016

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Zemel Construction Corp., Inc. for 62 Calvert Avenue East, Edison, NJ; Block 998, Lot 2; Tree Permit #07-170; Account #7760275043

WHEREAS, on December 18, 2007, Zemel Construction Corp., Inc. posted Tree Maintenance Bond fees in the amount of \$90.00, with Check No. 578 on deposit with the Township of Edison in account #7760275043 to guarantee the installation of trees per the Municipal Code of the Township of Edison for

designated Tree Maintenance Bond Permit #07-170, on the property identified as 62 Calvert Avenue East, Block 998, Lot 2, Edison, NJ, 08820;

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for 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 \$90.00 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 \$90.00 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 \$90.00 on deposit in Account #7760275043 to Zemel Construction Corp., Inc., 6 Brook Avenue, Edison, NJ 08820, for the referenced property at 62 Calvert Avenue East, Edison, NJ, 08820, Block 998, Lot 2.

RESOLUTION 760-102016

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Markim Developers, LLC for 993 Wood Avenue, Edison, NJ; Block 852, Lot 1; Tree Permit #12-077; Account #7762575574

WHEREAS, on January 11, 2013, Markim Developers, LLC posted Tree Maintenance Bond fees in the amount of \$600.00, with Check No. 1183 on deposit with the Township of Edison in account #7762575574 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #12-077, on the property identified as 993 Wood Avenue, Block 852, Lot 1, Edison, NJ, 08820;

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for 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 \$600.00 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 \$600.00 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 \$600.00 on deposit in Account #7762575574 to Markim Developers, LLC, 910 Amboy, Edison, NJ 08837, for the referenced property at 993 Wood Avenue, Edison, NJ, 08820, Block 852, Lot 1.

RESOLUTION R.761-102016

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Muthukumaran Balasubramaniyan for 32 Adams Street, Block 628, Lot 31-C; Tree Permit #13-106; Account #7763090831

WHEREAS, on May 6, 2014, Muthukumaran Balasubramaniyan posted Tree Maintenance Bond fees in the amount of \$75.00, with Check No. 252 on deposit with the Township of Edison in account #7763090831 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #13-106, on the property identified as 32 Adams Street, Block 628, Lot 31-C, Edison, NJ, 08820;

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for 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 \$75.00 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 \$75.00 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 \$75.00 on deposit in Account #**7763090831** to Muthukumaran Balasubramanian, of 32 Adams Street, Edison, NJ 08820, for the referenced property at 23 Adams Street, Edison, NJ, 08820, Block 628, Lot 31-C.

RESOLUTION R.762-102016

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Zemel Construction Corp., Inc. for 21 Remington Drive, Edison, NJ; Block 557.G, Lot 35; Tree Permit #07-094; Account #**7760237721**

WHEREAS, on July 2, 2007, Zemel Construction Corp., Inc. posted Tree Maintenance Bond fees in the amount of \$90.00, with Check No. 214 on deposit with the Township of Edison in account #7760237721 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #07-094, on the property identified as 21 Remington Drive, Block 557.G, Lot 35, Edison, NJ, 08820;

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for 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 \$90.00 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 \$90.00 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 \$90.00 on deposit in Account #**7760237721** to Zemel Construction Corp., Inc., 6 Brook Avenue, Edison, NJ 08820, for the referenced property at 21 Remington Drive, Edison, NJ, 08820, Block 557.G, Lot 35.

RESOLUTION R.763-102016

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Nimish Shah/Gamapa, LLC for 891-893 Ellis Parkway, Edison, NJ; Block 921, Lots 6B & 6D; Tree Permit #09-094; Account #**7763090873**

WHEREAS, on June 11, 2014, Nimish Shah/Gamapa, LLC posted Tree Maintenance Bond fees in the amount of \$4,425.00, with Check No. 607 on deposit with the Township of Edison in account #7763090873 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #09-094, on the property identified as 891-893 Ellis Parkway, Block 921, Lots 6B & 6D, Edison, NJ, 08820;

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for 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 \$4,425.00 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 \$4,425.00 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 \$4,425.00 on deposit in Account #**7763090873** to Nimish Shah/Gamapa, LLC, 849 Beatrice Parkway, Edison, NJ 08820, for the referenced property at 891-893 Ellis Parkway, Edison, NJ, 08820, Block 921, Lots 6B & 6D.

RESOLUTION R.764-102016

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Peggy Trstensky for 1028 New Durham Road, Edison, NJ; Block 53, Lot 3; Tree Permit #10-050; Account #**7761963763**

WHEREAS, on August 29, 2012, Peggy Trstensky posted Tree Maintenance Bond fees in the amount of \$300.00, with Check No. 1777 on deposit with the Township of Edison in account #7761963763 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #10-050, on the property identified as 1028 New Durham Road, Block 53, Lot 3, Edison, NJ, 08817;

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for 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 on deposit in Account #7761963763 to Peggy Trstensky, 1900 Oak Tree Road, Edison, NJ 08820, for the referenced property at 1028 New Durham Road, Edison, NJ, 08817, Block 53, Lot 3.

RESOLUTION R.765-102016

EXPLANATION: Resolution Refunding Tree Maintenance Bond to Nanda Joshi for 18 Ventnor Avenue, Edison, NJ; Block 546.M, Lot 11; Tree Permit #14-011; Account #7763090930

WHEREAS, on June 23, 2014, Nanda Joshi posted Tree Maintenance Bond fees in the amount of \$1,350.00, with Check No. 1127 on deposit with the Township of Edison in account #7763090930 to guarantee the installation of trees per the Municipal Code of the Township of Edison for designated Tree Maintenance Bond Permit #14-011, on the property identified as 18 Ventnor Avenue, Block 546.M, Lot 11, Edison, NJ, 08820;

WHEREAS, an inspection by the Division of Engineering, under the supervision of the Township Engineer, has revealed that the trees planted have remained alive for 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 \$1,350.00 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 \$1,350.00 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 \$1,350.00 on deposit in Account #7763090930 to Nanda Joshi, 8 Honeysuckle Lane, Edison, NJ 08820, for the referenced property at 18 Ventnor Avenue, Edison, NJ, 08820, Block 546.M, Lot 11.

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

NAYS - None

ORAL PETITIONS AND REMARKS

Council President Lombardi opened the meeting for public comment.

John Locker , 43 Ireland Avenue, what is minimum age on Our Lady of Pease redevelopment and is there a way of prohibit the change.

Mr. Northgrave, there is an age restriction and we cannot pass anything for future.

Mr. Kataryniak, because this is in the COAH agreement there is a deed restriction for 30 or 50 years.

Esther Nemitz, 163B Fay Street, she spoke to Leslie London regarding the age, state declared it is 62.

Fred Wolke, 10 Peake Road, regarding question on ballot on gas tax is it only for transportation or can state use for something else.

Council President Lombardi, he believes if you vote yes on the question it restricts to only use the tax funds for roads.

Walt Shneer, Park Way, do we know how many apartment are going to be built in near future .

Mr. Northgrave is not aware.

Tracy Conrad, 13 Walsh Avenue, when the construction of water main is completed is the road getting paved.

Mr. Kataryniak, yes it is temporary right now, w will be meeting in the spring to plan to resurface.

Carlo Conrad,13 Walsh Avenue, shooting range facility in Keasby does our Police Department use that facility. The sound is echoing throughout our neighborhood.

Ms. Ruane, no we have our own range but right now we are using South Plainfield.

Councilmember Diehl asked our attorney to reach out to Woodbridge regarding this matter.

Mr. Northgrave, will reach out to the Business Administrator of Woodbridge.

Hearing no further comments from the public Councilmember Gomez, made a motion to close the public hearing, which was seconded by Councilmember Shah 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 8:20 p.m.

Michael R. Lombardi
Council President

Cheryl Russomanno, RMC
Municipal Clerk