

**MINUTES OF A REGULAR MEETING
OF THE MUNICIPAL COUNCIL - TOWNSHIP OF EDISON
December 6, 2017**

A Regular Meeting of the Municipal Council was held in the Council Chambers of the Municipal Building on Wednesday, December 6, 2017. The meeting was called to order at 7:06 p.m. by Council President Lombardi, followed by the Pledge of Allegiance.

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

Councilmember Patil was absent.

Also present were Township Clerk Russomanno, Deputy Township Clerk McCray, Township Attorney London,, Business Administrator Ruane, Health Inspector Spearnock, Assistant Public Works Director Russomanno, Police Captain Shannon, Fire Chief Latham and Cameraman Cologna.

The Township Clerk advised that adequate notice of this meeting, as required by the Open Public Meetings Act of 1975, has been provided by an Annual Notice sent to The Home News Tribune, The Star Ledger, and the Sentinel on December 30, 2017 and posted in the Main Lobby of the Municipal Complex on the same date.

COUNCIL PRESIDENT'S REMARKS

Council President Lombardi, announce the Holiday Events, Clara Barton Tree Lighting on December 14th at 7:00, Lighting of the Menorah on December 15th and on December 17th 12-1230 Wreaths Across American at St. James Church on Woodbridge Avenue. On January 10th Mr. Silva will have an Art Opening at 6:30pm.

RESOLUTION OF RECOGNITION:

The following Resolution of Recognition was read in its entirety.

RESOLUTION R.684-122017

WHEREAS, Frank Greco has contributed significant time and care to the Township of Edison and its residents both through his advocacy for various local causes and during his tenure with the Township Open Space Advisory Committee; and

WHEREAS, Frank was born Staten Island, New York in 1926 and joined the United States Navy in 1944 at the age of 17; and

WHEREAS, during World War II, Frank served in the Navy Armed Guard on a Liberty Ship, the SS Harold D. Whitehead; and

WHEREAS, during his time with the Navy, Frank sailed from the United States to North Africa, Europe, India, Australia, New Guinea, and the Philippines. Along the way, he swam in the Suez Canal and the Indian and Pacific Oceans; and

WHEREAS, after his service, Frank returned home to work as an iron worker, television antenna installer, longshoreman, long-haul trucker, and teamster; and

WHEREAS, Frank is husband to his wife Betty, and the father of Steve and Jeff; and

WHEREAS, Frank volunteers with the Navy League, American Legion, Teamsters Retirees, and Middlesex Greenway Coalition, and is a longtime supporter and volunteer at the New Jersey Folk Festival;

WHEREAS, Frank continues his educational and advocacy efforts to promote greater understanding of the environment and our responsibility to it through his past and continued involvement as a key member of the Save the Oaktree Pond group and his work to have the Short Hills Battlefield recognized on the National Register of Historic Places; and

WHEREAS, since his appointment in 2003, Frank has served the Edison Open Space Advisory Committee with distinction; and

WHEREAS, Frank's service and dedication to the Township has positively fostered volunteerism and an appreciation of the Township and the role we should all strive to achieve to maintain the continued vitality of the Township and its impact on our global society; and

WHEREAS, the municipal council of the Township of Edison hereby recognizes Frank for his commitment and dedication to the Township; and

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF EDISON, NEW JERSEY AS FOLLOWS: The Municipal Council hereby recognizes Frank Greco for his significant contributions to the Township's preservation of the environment as it pertains to the Township's impact on our global society.

Council President Lombardi opened the meeting for public comment.

Bruce Diamond, 74 Calvert Avenue, he has known Frank for about 20 years. He set a high standard for us youngsters, what a nice man.

Carol, 118 George Avenue, she met Mr. Greco at the age 10 years old when life was simple. Mr. Greco kept us on a straight arrow. I am blessed to have him in my adult life as well.

Robert Takash, Frank has been a stellar active citizen. I will miss his contributions and inspiration to everyone. Admire all his work on Open Space Advisory Committee, Military Service, this recognition is well deserved.

Resident, 496 Plainfield Road , he always helping everyone with being asked. He has a lot of energy.

Lois Wolke, 10 Peake Road, Frank is like the Eveready battery. He proudly served his country and we are lucky to have him as a resident. Good work Frank you are the total package.

Walt Stochel, 2118 Oak Tree Road, he thanked the council for recognizing Mr. Greco for his 9 decades of his deeds. He is one of the busiest people I ever met. Thanks Frank for all you have done for Edison.

Irene Wall, 205 Fleet Avenue, she echoed everything everyone said, she is amazed how he does everything. A pinnacle of a good American and Volunteer. Congrats!

Fred Wolke ,10 Peak Road, what more can we say, Frank you are a great friend and well deserved.

Maryann Hennessey, 20 Carmello Drive, we should consider a wall of recognition for these guys like Frank and Mr. Ellis.

Esther Nemitz, 162B Fay Street, she appreciates the fact he goes to all open space meetings and get the all the facts .

On a motion made by Councilmember _____ seconded by Councilmember _____ this Resolution was adopted.

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

ABSENT – Councilmember Patil

NAYS – None

Councilmember Shah, thank you for your services, there aren't enough words to say for everything you have done.

Councilmember Gomez, thank you for your service to our country and the decades for giving back to our Township.

Councilmember Sendelsky, thank you for your dedication, passion and support to Edison Township

Councilmember Coyle, thank you for all your great work along with the sacrifice, congrats!

Council President Lombardi, not sure there is much more to say, this resolution if one of the way this council says Thank you for your dedication to country, community and Edison to encourage volunteers.

Councilmember Diehl, a wonderful tribute to have you here. You are much like Jane Tousman all about our town than herself. You have always helped people we are honored tonight.

Mr. Greco, Edison is a great place I have enjoyed every minute.

Presentation by Councilmember Coyle:

He presented our Councilwoman Shah with a plaque for her time and work to the town. He first met Ms. Shah when she was interning at a law firm. She served on the Board of Education and then this council. She has done things for woman advocacy. Congratulation on hard work and time you have put in.

Councilmember Shah, thank you for this award it's been a pleasure.

APPROVAL OF VOLUNTEER FIREFIGHTER:

Applications for membership were received by:

Raritan Engine Company #1
Paul R. Toth IV

A motion was made by Councilmember Sendelsky seconded by Councilmember Gomez and duly carried, the above application was approved.

Chief Latham gave his safety report to the council as follows:

The Division of Fire follows all safety standards set forth g NJPEOSHA, OSHA and NFPA for work place safety practices, protective equipment and required training of Firefighters.

The Division of Fire provides the MEL/JIF with monthly job safety observations reports and training attendance records of Firefighters.

The Division of Fire trains daily on safety procedures and practices utilizing internal and external instruction.

The overall number on workplace injuries rose slightly in 2017 from 2016 with the most common injuries being sprains, sprains and contusion which unfortunately is common to Firefighting.

**NEW BUSINESS:
PROPOSED ORDINANCES PUBLIC HEARING SET DOWN FOR, WEDNESDAY DECEMBER
20, 2017**

The following Ordinances were introduced by title:

**O.1995-2017 ORDINANCE AMENDING CHAPTER 37 OF THE TOWNSHIP OF
EDISON CODE OF GENERAL ORDINANCES TO AMEND THE G-B
AND G-BH GENERAL BUSINESS DISTRICTS TO INCLUDE A
CONVENIENCE STORE WITH FUEL STATION AS A PERMITTED
USE.**

On a motion made by Councilmember Coyle seconded by Councilmember Sendelsky this Ordinance was passed on first reading and ordered published according to law for further consideration and Public Hearing at the next Regular Meeting of the Township Council to be held on December 20, 2017.

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

ABSENT – Councilmember Patil

NAYS – None

Council President Lombardi asked for a Motion to add Ordinance O.1996-2017 to agenda.

On a motion made by Councilmember Gomez, seconded by Councilmember Diehl this Ordinance was added to Agenda.

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

ABSENT – Councilmember Patil

NAYS – None

The following Ordinance was introduced by title:

**O.1996-2017 ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
APPROPRIATION IN THE AMOUNT OF \$1,380,000 TO FUND
ACCRUED SICK AND VACATION TIME EXPENSES ARISING FROM
THE RETIREMENT OF SEVERAL EMPLOYEES IN AND BY THE
TOWNSHIP OF EDISON, IN THE COUNTY OF MIDDLESEX, NEW
JERSEY.
(added to agenda at meeting)**

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 December 20, 2017.

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

ABSENT – Councilmember Patil

NAYS – None

Council President Lombardi, we will be pulling off the Consent Agenda **Resolution R.695-122017**.

PUBLIC COMMENTS AS TO PROPOSED RESOLUTIONS

Council President Lombardi opened the meeting to the public for comments on Proposed Resolutions R.685-122017 through R.694-122017 and R.696-122017 through R.708-122017.

Maryann Hennessey, 20 Carmello Drive, regarding R.696-122018 payment and R.702-122017 through R.704-122017 please explain.

Council President Lombardi, this payment is for tax appeals. R.704-122017 is for the three squads.

Irene Wall, 205 Fleet Avenue, regarding R.708-122017, where is this license.

Ms. Russomanno, this license is for the restaurant that buried down on Route 1.

Lois Wolke, 10 Peake Road, R.693-122017 are any adjacent to residential zone.

Councilmember Sendelsky will get her an answer.

Ms. Hennessey asked if this is the location on Corner of Plainfield Avenue and Old Brunswick.

Esther Nemitz, 162B Fay Street, R. 693-122017 there was a gas station at technical review.

Councilmember Sendelsky explained this is just referral to planning board.

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

The following Resolutions R.685-122017 through R.692-122017 and R.694-122017 and R.697-122017 through R.708-122017 were adopted under the Consent Agenda on a motion made by Councilmember Diehl and seconded by Councilmember Sendelsky.

RESOLUTION R.685-122017

APPROVAL OF DISBURSEMENT OF FUNDS BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EDISON FOR THE PERIOD ENDING NOVEMBER 30, 2017.

WHEREAS, the Director of Finance of the Township of Edison has transmitted to the Township Council a Report of Disbursements made through November 30, 2017.

FUND	AMOUNT
Current	\$14,396,196.55
Sewer Utility	93,642.21
Capital	563,980.50
Grant Funds	1,854.58
Dog (Animal Control)	16,303.83
Trust	163,431.58
CDBG	168,361.19
Tree Fund	0.00
Payroll Deduction	581,191.03
Law Enforcement	0.00
Open Space	0.00
Park Improvements	0.00
Sanitation Fund	83,200.94
Self Insurance	0.00
Affordable Housing	74,651.60
Cash Performance	2,721.12
Developers Escrow	21,855.25
Tree Planting	0.00
Federal Forfeited	0.00
Tax Sale Redemption	68,543.04
TOTAL	\$16,235,933.42

/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.686-122017

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 **\$50,973.12**.

RESOLUTION R.687-122017

Authorizing refund for tax overpayments

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

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

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

BE IT FURTHER RESOLVED, by the Municipal Council of the Township of Edison that the appropriate official of the Township is hereby authorized to draw checks to the noted parties in the amounts specified on the attached listing totaling **\$6,147.43**.

RESOLUTION R.688-122017

**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 \$ 24,830.74 from State of New Jersey and wishes to amend its CY 2017 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 2017 in the amount of \$ 24,830.74 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:

Drunk Driving Enforcement Fund **\$ 24,830.74**

BE IT FURTHER RESOLVED that a like sum of \$24,830.74 be and the same is hereby appropriated under the caption of:

General Appropriations:

Drunk Driving Enforcement Fund **\$ 24,830.74**

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.689-122017

RESOLUTION AWARDED CONTRACT/PURCHASE ORDER(S) TO EDWARDS TIRE COMPANY INCORPORATED FOR GOODYEAR TIRES AND TUBES

WHEREAS, there is a need to purchase Goodyear Tires and Tubes for the maintenance of the Township of Edison vehicles; and

WHEREAS, EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 has been awarded State Contract Number 82527 under M-8000/Tires, Tubes and Services; and

WHEREAS, the total amount of this contract, not to exceed \$100,000.00, cannot be encumbered at this time; and

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

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$100,000.00 and any other necessary documents, with EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 82527/M-8000.

RESOLUTION R.690-122017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER(S) TO EDWARDS TIRE COMPANY INCORPORATED FOR BRIDGESTONE/FIRESTONE TIRES AND TUBES

WHEREAS, there is a need to purchase Bridgestone/Firestone Tires and Tubes for the maintenance of the Township of Edison vehicles; and

WHEREAS, EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 has been awarded State Contract Number 82528 under M-8000/Tires, Tubes and Services; and

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

WHEREAS, the total amount of this contract, not to exceed \$50,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$50,000.00 and any other necessary documents, with EDWARDS TIRE COMPANY INCORPORATED, P.O. Box 704, Farmingdale, NJ 07727 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract, No. 82528/M-8000.

RESOLUTION R.691-122017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO MALOUF FORD INC. FOR THE FURNISHING OF OEM AND NON-OEM MAINTENANCE AND REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES FOR THE TOWNSHIP OF EDISON

WHEREAS, there is a need for OEM and non-OEM maintenance and repair services for light to medium duty vehicles for the Township of Edison; and

WHEREAS, MALOUF FORD INC., PO Box 7480, North Brunswick, NJ 08902 has been awarded State Contract Number A40808 under T-0126 OEM and NON-OEM MAINTENANCE AND REPAIR SERVICES FOR LIGHT/MEDIUM DUTY VEHICLES; and

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

WHEREAS, the total amount of this contract, not to exceed \$50,000.00, 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. 5:30-5.5b); and

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$50,000.00 and any other necessary documents, with MALOUF FORD INC., PO Box 7480, North Brunswick, NJ 08902, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law and State Contract No. A40808 under T-0126.

RESOLUTION R.692-122017

RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO ALLIED FIRE & SAFETY EQUIPMENT CO., INC. FOR FIRE ALARM INSPECTION AND MAINTENANCE SERVICES

WHEREAS, bids were received by the Township of Edison on October 17, 2017 for Public Bid No.17-08-23, Fire Alarm Inspection and Maintenance Services for the Township of Edison; and

WHEREAS, ALLIED FIRE & SAFETY EQUIPMENT, CO., INC., 517 Green Grove Rd., Neptune, NJ 07754, submitted the lowest legally responsible, responsive bid; and

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

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$60,000.00, 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 ALLIED FIRE & SAFETY EQUIPMENT, CO., INC., 517 Green Grove Rd., Neptune, NJ 07754 for Fire Alarm Inspection and Maintenance Services 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 \$60,000.00 for the first year and any succeeding renewal year and any other necessary documents, with ALLIED FIRE & SAFETY EQUIPMENT, CO., INC. as described herein.

RESOLUTION R.694-122017

EXPLANATION: This Resolution authorizes the Mayor to execute the attached Developer's Agreement with Mocchi Inman Plaza, LLC, with respect to Block 429, Lots 5.02 and 5.03 (property located at Inman Avenue and Jane Place), as shown on the Township of Edison tax maps.

WHEREAS, Block 429, Lots 5.02 and 5.03 (located at Inman Avenue and Jane Place) 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 Mocchi Inman Plaza, LLC ("**Developer**") to construct a one-story building on Lot 5.03 to be used as a daycare center and to maintain in all respects the existing bank on Lot 5.02 at the Property (the "**Project**"); and

WHEREAS, the Board granted approval for the Project by adoption of a resolution on November 13, 2017 (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 Resolution and the Code of the Township of Edison require 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.697-122017

EXPLANATION: This resolution provides for Township Acceptance of the constructed improvements under Public Bid No. 12-29-01: Harding Avenue Sanitary Sewer Rehabilitation; and authorizes FINAL CONTRACT PAYMENT for release of retainage in the amount of \$8,284.00 and close-out of the construction project.

WHEREAS, the Township of Edison advertised for a construction contract for Harding Avenue Sanitary Sewer Rehabilitation, Harding Avenue, Township of Edison, Middlesex County, New Jersey under Public Bid No. 12-29-01; and

WHEREAS, Allstate Power-Vac, Inc., 928 E. Hazelwood Avenue, Rahway, NJ 07065 was awarded a construction contract through resolution R.279-052012 in a contract amount not to exceed \$85,310.00 for the project; and

WHEREAS, the Township Engineer has reviewed the project and certifies the construction work has been completed. A time period in excess of a two-year (2-year) maintenance bond has elapsed since the completion of the project and therefore a maintenance bond is deemed unnecessary.

WHEREAS, the Township Engineer recommends project acceptance, release of the performance bond, and final payment including retainage be made to Allstate Power-Vac, Inc., in the amount of \$8,284.60 for a total construction contract as-built cost of \$82,846.00.

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. 12-29-01: Harding Avenue Sanitary Sewer Rehabilitation, is deemed accepted by the Township of Edison, New Jersey, and that the performance bond may be released and that final payment, including retainage, shall be made to Allstate Power-Vac, Inc., in an amount not to exceed \$8,248.60 for a total construction contract as-built cost of \$82,846.00, and the remaining balance of \$2,464.00 be deducted from the contract, be unencumbered after final payment is made, and said unexpended contract amount shall be restored to the appropriate Township account.

RESOLUTION R.698-122017

EXPLANATION: A Resolution authorizing a grant of \$10,000 from the Township's Affordable Housing Down Payment/Closing Cost Affordability Assistance Program for the purchase of an *affordable* housing unit by an income certified buyer.

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

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

WHEREAS, a Unit was located and an application to participate in the Program was submitted, reviewed and deemed complete and in compliance with the requirements; and

WHEREAS, the Buyers, have entered into a Sales Contract to purchase an *affordable* housing unit, as approved by the Township's Administrative Agent and qualifies for a grant of \$10,000 to be paid from the Township's Affordable Housing Trust Fund in order to provide affordability assistance by reducing the costs for the Buyers; and

WHEREAS, the Law firm, known as Sapiro, Gottlieb & Kroll, will distribute such funds from their Trust account on behalf of the Buyer at the time of the Closing to subsidize the down payment or closing costs; and

WHEREAS, the Township Council desires to award this grant to provide assistance in the purchase of an *affordable* unit at 33 Liddle Avenue, Edison, NJ, in the amount of \$10,000 for the purpose set forth herein under the Down Payment/Closing Cost Affordability Assistance Program; and to authorize the execution of an Agreement between the Township and Philip Horowitz, the Buyer, with respect to such grant.

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

1. The Township Council hereby approves and authorizes a subsidy grant in the amount of \$10,000 from the Township's Affordable Housing Trust Fund account T-13-00-0000-000-006 with respect to the Down Payment/Closing Cost Affordability Assistance Program, to be paid to Sapiro, Gottlieb & Kroll, One Auer Court, East Brunswick, NJ 08816, for the purposes set forth herein and authorizes the execution of an Agreement between the Township and Philip Horowitz, 33 Liddle Avenue, Edison, NJ 08837 with respect to such grant.
2. That an original certified copy of this resolution shall be forwarded to the Municipal Housing Liaison.

RESOLUTION R.699-122017

RESOLUTION AUTHORIZING THE TOWNSHIP OF EDISON TO PURCHASE ROCK SALT FROM ATLANTIC SALT INCORPORATED THROUGH THE MIDDLESEX COUNTY COOPERATIVE PRICING AGREEMENT – STATE COOP. #71-MCCPS

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 County of Middlesex hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, ATLANTIC SALT INCORPORATED, 134 Middle Street, Suite 210, Lowell, MA 01852 has been awarded Bid No. B-17-560 through State Coop #71-MCCPS, Treated Rock Salt under Resolution Number 17-1657-R; and

WHEREAS, the total amount of this contract, not to exceed \$120,000.00, cannot be encumbered at this time; and

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

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order(s) in the amount not to exceed \$120,000.00 and any other necessary documents, with ATLANTIC SALT INCORPORATED, 134 Middle Street, Suite 210, Lowell, MA 01852 as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11 et seq. of the Local Public Contracts Law, Bid No. B-17-560 through Middlesex County Cooperative Pricing Agreement, Resolution No. 17-1657-R, State Coop #71-MCCPS.

RESOLUTION R.700-122017

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 October 31, 2017 for Public Bid No. 17-10-03, 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 initial contract shall be for one (1) year from execution of the contract with options to renew for two (2) one (1) year renewals at the sole discretion of the Township at the same prices, conditions, requirements and terms of the contract, subject to and contingent upon appropriation of sufficient funds each renewal year; and

WHEREAS, the total amount of the first year and any succeeding renewal year shall not exceed \$60,000.00, 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 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 for the first year and any succeeding renewal year and any other necessary documents, with ATLANTIC SWITCH & GENERATOR, LLC as described herein.

RESOLUTION R.702-122017

RESOLUTION AWARDING CONTRACT TO CAMBRIA AUTOMOTIVE COMPANIES INC. FOR THE PURCHASE OF TWO (2) AUTOMATED SIDE LOADER REFUSE COLLECTION VEHICLES EACH WITH EXTENDED TWO YEAR WARRANTY 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 INC., 116 Talmadge Rd., Edison, NJ 08817 submitted the lowest, legally responsible, responsive bid; 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 \$579,600.00 have been certified to be available in the Sanitation Capital Outlay Account, number 7-09-55-0880-000-600; 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 CAMBRIA AUTOMOTIVE COMPANIES INC., 116 Talmadge Rd., Edison, NJ 08817 for two (2) automated side loader refuse collection vehicles each with extended two year warranty 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 \$579,600.00, and any other necessary documents, with CAMBRIA AUTOMOTIVE COMPANIES INC., as described herein.
3. The Township of Edison Purchasing Agent is hereby authorized to return any and all deposits and or bonds of the unsuccessful bidders.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds for the above in the amount of **\$579,600.00** are available in account **7-09-55-0880-000-600**.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.701-122017

RESOLUTION AWARDING CONTRACT/PURCHASE ORDER TO CHAS. S. WINNER INC. D/B/A WINNER FORD FOR THE PURCHASE OF TWO (2) 2017 FORD F-450 CREW CAB CHASSIS EACH WITH DUMP BODY AND SNOW PLOW FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a need to purchase two (2) 2016 Ford F-450 W4H 4X4 SD crew cab chassis with dump body and snow plow for the Department of Public Works, Division of Sanitation; and

WHEREAS, CHAS. S. WINNER INC. D/B/A WINNER FORD, 250 Berlin Road, Cherry Hill, NJ 08034 has been awarded State Contract Number 88215 under T-2102 Vehicles, Trucks, Class 4, Utility/Dump, with Snow Plow Option; and

WHEREAS, the Township of Edison intends to enter into a contract/purchase order with CHAS. S. WINNER INC. D/B/A WINNER FORD for the purchase of two (2) 2017 Ford F-450 W4H 4X4 SD crew cab 176" WB DRW 60" CA XL chassis with dump body, snow plow, and ancillary options at a total price of \$112,612.00 (\$56,306.00 per vehicle including dump body, plow and options); and

WHEREAS, funds in the amount of \$112,612.00 have been certified to be available in the Sanitation Capital Outlay Account, Number 7-09-55-0880-000-600; and

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

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

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

1. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$112,612.00 and any other necessary documents, with CHAS. S. WINNER INC. D/B/A WINNER FORD, 250 Berlin Road, Cherry Hill, NJ 08034, as described herein.
2. This contract is authorized pursuant to the authority set forth in N.J.S.A. 40A:11-12 of the Local Public Contracts Law, and State Contract Number 88215 under T-2102.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$112,612.00** are available for the above contract in Account No. **7-09-55-0880-000-600**.

/s/ Nicholas C.Fargo
Chief Financial Officer

RESOLUTION R.703-122017

**RESOLUTION ACCEPTING QUOTE AND AWARDED CONTRACT/PURCHASE ORDER TO
ESI EQUIPMENT, INC. FOR CUSTOM TOOL MOUNTS FOR THE NEW FIRE RESCUE
VEHICLE**

WHEREAS, quotes were solicited by the Township of Edison for Custom Tool Mounts for the new Fire Rescue Vehicle; and

WHEREAS, ESI EQUIPMENT, INC., 119 Keystone Dr., Montgomery, PA 18936, submitted the lowest quote; and

WHEREAS, the maximum amount of the purchase shall not exceed \$3,985.00; and

WHEREAS, funds in the amount of \$3,985.00 have been certified to be available in the Firefighter Maintenance of other Equipment Account, Number 7-01-25-0265-001-026; and

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

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

1. All quotes have been reviewed, and the quote as submitted by ESI EQUIPMENT, INC., 119 Keystone Dr., Montgomery, PA 18936 for the purchase of Custom Tool Mounts for the Division of Fire, is determined to be the lowest quote.
2. The Mayor, or his designee, is hereby authorized to execute a contract/purchase order in the amount not to exceed \$4,778.55 and any other necessary documents with ESI EQUIPMENT, INC as described herein.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$3,985.00** are available for the above in Account No. **7-01-25-0265-001-026**.

/s/Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.704-122017

RESOLUTION AUTHORIZING CONTRIBUTION OF FIRST AID SQUAD FUNDS TO RARITAN VALLEY REGIONAL EMERGENCY MEDICAL SERVICES, INC. FROM THE 2017 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 2017 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 7-01-25-0260-000-030; 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. 7-01-25-0260-000-030.

/s/ Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.705-122017

RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS TO VOLUNTEER FIRE COMPANIES AND VOLUNTEER FIRE CHIEFS FOR CLOTHING ALLOWANCE FOR 2017

WHEREAS, it is the desire of the Township of Edison to appropriate funds to the Volunteer Firefighters for Clothing Allowance; and

WHEREAS, the total amount to be distributed to Volunteer Fire Chiefs and Volunteer Fire Companies for clothing allowance shall be \$70,000.00; and

WHEREAS, funds in the amount of \$70,000.00 have been certified to be available in the Aid to Volunteer Fire Clothing and Uniform Account, Number 7-01-25-0255-000-032; 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 the Volunteer Firefighters are hereby authorized to receive clothing allowance as set forth above.

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount **\$70,000.00** are available for the above contract in Account No. **7-01-25-0255-000-032**.

/s/Nicholas C. Fargo
Chief Financial Officer

RESOLUTION R.706-122017

DRUNK DRIVING ENFORCEMENT FUND (DDEF)

2017

Grant Approval

WHEREAS, the Division of Police will accept grant funding in the amount of \$12,415.37 to provide additional manpower hours to enforce DWI Laws as well as an additional \$12,415.37 to be used to purchase new breath testing equipment, total allocation is \$24,830.74; and

WHEREAS, an enforcement crackdown will be planned for 2018 to combat violations related to DWI Laws to reduce the number of fatalities related to impaired drivers; and

WHEREAS, the State of New Jersey, Department of Law and Public Safety -Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the grant; and

WHEREAS; an increase in enforcement will save lives on our roadways;

THEREFORE, be it resolved that the Edison Township Council on behalf of the Division of Police wishes to accept \$24,830.74 in funds through the Drunk Driving Enforcement Fund 2017 and pledges to increase awareness of DWI Laws.

BE IT FURTHER RESOLVED, that the Business Administrator or designee be and is hereby authorized to sign the aforesaid grant approval for and on behalf of the Township of Edison.

RESOLUTION R.707-122017

**MUNICIPAL COUNCIL
OF THE TOWNSHIP OF EDISON**

SCHEDULE OF MEETINGS – 2018

WORKSESSION - 6:00PM
(Unless otherwise noted)

REGULAR - 7:00PM
(Unless otherwise noted)

January

MONDAY, January 1ST, 12:00 NOON

(RE-ORGANIZATION MEETING -)

Monday, January 8
Monday, January 22

Wednesday, January 10
Wednesday, January 24

February

WEDNESDAY, February 14
(To be combined with Regular Meeting starting at 6:00)

Wednesday, February 14

Monday, February 26

Wednesday, February 28

March

Monday, March 12
Monday, March 26

Wednesday, March 14
Wednesday, March 28

April

Monday, April 9
Monday, April 23

Wednesday, April 11
Wednesday, April 25

May

Monday, May 7
Monday, May 21

Wednesday, May 9
Wednesday, May 23

June

Monday, June 11
Monday, June 25

Wednesday, June 13
Wednesday, June 27

July

Monday, July 23

Wednesday, July 25

August

Monday, August 20

Wednesday, August 22

September

Wednesday, September 12
(To be combined with Regular Meeting starting at 6:00pm)
Monday, September 24

Wednesday, September 12
Wednesday, September 26

October

Wednesday, October 10
(To be combined with Regular Meeting starting at 6:00pm)
Monday, October 22

Wednesday, October 10
Wednesday, October 24

November

THURSDAY, November 8

THURSDAY, November 8

(To be combined with Worksession starting at 6:00pm)

WEDNESDAY, November 28
(To be combined with Regular Meeting starting at 6:00pm)

Wednesday, November 28

December
Monday, December 10

Wednesday, December 12

THURSDAY, December 27

THURSDAY, December 27
(To be combined with Regular Meeting starting at 6:00 pm)

RESOLUTION R.708-122017

WHEREAS, applications have be made for the renewal of Plenary Retail Consumption Licenses, issued by the Municipal Council of the Township of Edison, expiring on June 30, 2017; and

WHEREAS, the proper applications and fees have been received; and

WHEREAS, no legally valid objections have been made as to why these applications should not be approved.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Edison, County of Middlesex, New Jersey, that the following Plenary Retail Consumption License expiring on June 30, 2017 for which the required fees of \$2,500.00 to the Township of Edison and \$200.00 to the State Division of Alcoholic Beverage Control have been paid, be the same hereby granted and renewed, effective December 6, 2017.

<u>LICENSE NUMBER</u>	<u>LICENSEE AND LOCATION</u>	<u>ADDRESS</u>
1205-33-013-010	Norstar & Company, Inc. d/b/a Grand Shanghai Chinese Restaurant	INACTIVE

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

NAYS - None

The following Resolutions will be voted upon separately:

RESOLUTION R.693-122017

RESOLUTION R.696-122017

Councilmember Coyle pulled Resolution R.693-122017, he want to look at it more.

Councilmember Shah pulled Resolution R.696-122017 this firm has represented her so she will be abstaining.

A motion was made by Councilmember Coyle to table **Resolution R.693-122017** and Councilmember Diehl seconded the motion.

AYES -Councilmembers, Coyle and Diehl

ABSENT – Councilmember Patil

NAYS - Councilmembers, Gomez, Sendelsky, Shah and Council President Lombardi

Councilmember Gomez said this falls within the Planning Board jurisdiction we need the planning board for their feedback. This resolution is only referring to the Planning Board.

Councilmember Sendelsky added they still have to appear before the Planning Board for approvals to build.

A motion was made by Councilmember Gomez seconded by Councilmember Sendelsky to adopt this Resolution.

RESOLUTION R.693-122017

EXPLANATION: Resolution referring the proposed ordinance amending the G-B and G-BH General Business Districts to include a convenience store with a fuel station as a permitted use.

WHEREAS, pursuant to the Municipal Land Use Law (*N.J.S.A. 40:55D-1 et seq.*, the “**MLUL**”), specifically *N.J.S.A. 40:55D-65*, municipalities are authorized to enact zoning regulations by the adoption of ordinances; and

WHEREAS, pursuant to the MLUL, specifically *N.J.S.A. 40:55D-62*, municipalities are authorized to adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, it is the purpose of the municipal council of the Township (the “**Municipal Council**”) to provide an increased benefit to the Township by expanding the business uses in the General Business District to include a convenience store with a fuel station as a permitted use; and

WHEREAS, the Municipal Council desires to refer the attached ordinance to the planning board of the Township (the “**Planning Board**”) for review pursuant to *N.J.S.A. 40:55D-64*.

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

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

Section 2. The Municipal Council hereby refers the proposed ordinance amending the G-B and G-BH General Business Districts to include a convenience store with a fuel station as a permitted use attached hereto as **EXHIBIT A** to the Planning Board for review and recommendation in accordance with the requirements of *N.J.S.A. 40:55D-64*.

Section 3. The Planning Board is authorized and directed to prepare a report of its recommendations (the “**Planning Board Report**”) to the proposed G-B General Business District amending ordinance within thirty-five (35) days of the date hereof.

Section 4. If the Planning Board Report is not transmitted to the Municipal Council within thirty-five (35) days of the date hereof, the Municipal Council shall be relieved of the requirement to obtain a Planning Board Report for the Proposed Amendment to the Plan in accordance with *N.J.S.A. 40:55D-26*.

Section 5. The Clerk of the City shall forward a copy of this Resolution and the Proposed Amendment to the Planning Board for review pursuant to *N.J.S.A. 40:55D-64*.

Section 6. This Resolution shall take effect immediately.

AYES - Councilmembers, Gomez, Sendelsky, Shah and Council President Lombardi

ABSENT – Councilmember Patil

NAYS - Councilmembers Coyle and Diehl

A motion was made by Councilmember Gomez seconded by Councilmember Sendelsky to adopt this Resolution.

RESOLUTION R.696-122017

WHEREAS, the law firm Hoagland, Longo, Moran, Dunst & Doukas, LLP of 40 Paterson Street, New Brunswick, New Jersey 08901 (“**Firm**”) has previously represented the Township of Edison (“**Township**”) regarding certain tax and other related legal matters; and

WHEREAS, the Firm has continued to complete certain 2016 tax appeal matters on behalf of the Township; and

WHEREAS, compensation for the Firm’s professional services is at a rate of \$140.00 per hour for all attorneys; and

WHEREAS, funds in the amount of \$12,964.00.00 have been certified to be available; and

WHEREAS, it is recommended, and the Municipal Council accepts the recommendation that payment in the amount of \$12,964.00 be made for the Firm’s services concerning certain 2016 tax appeal matters on behalf of the Township.

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

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

Section 2. The Chief Financial Officer or is designee is hereby authorized to make payment to the Firm in the amount of \$12,964.00 for legal services rendered, upon the receipt of proper invoices.

Section 3. A certificate showing the availability of funds to pay the Firm 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.

Section 4. A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.

Section 5. This resolution shall take effect immediately.

AYES – Councilmembers Coyle, Diehl, Gomez, Sendelsky and Council President Lombardi

ABSTAIN – Councilmember Shah

ABSENT – Councilmember Patil

NAYS – None

ORAL PETITIONS AND REMARKS

Council President Lombardi opened the meeting for public comment.

Bruce Diamond, 74 Calvert Avenue West, there is a house recently torn down on Golf. He asked how did get to cut trees down on the right away.

Mr. O’Brien he cannot answer with seeing this.

Councilmember Diehl added these trees are 18” from the asphalt.

Ms. Ruane explained we don’t allow trees to be cut they just do it.

Irene Wall, 205 Fleet Avenue, Resolution R.693-122017 should say planning board in the title. She wished everyone a blessed Christmas and a Happy Healthy New Years.

Carl Zimmerman, 247 Grandview Avenue, in zoning and code enforcement we are writing up violations. Mr. Ayotte is in court every week.

Mr. O’Brien, Contractor is being fined per day -

Esther Nemitz, 162B Fay Street, regarding an article in the Star Ledger she recommends we pass a resolution to our congress.

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 8:43 p.m.

Michael R. Lombardi
Council President

Cheryl Russomanno, RMC
Municipal Clerk